City of Madison

City of Madison
Madison, WI 53703
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Master

File Number: 80404

File ID:	80404	**File Type:**	Report	**Status:**	Consent Agenda
Version:	1	**Reference:**		**Controlling Body:**	Council Office
				File Created Date :	10/16/2023
File Name:	Consent Agenda Document (11/21/23)			**Final Action:**	
Title:	Consent Agenda Document (11/21/23)				
Notes:					
Sponsors:				**Effective Date:**	
Attachments:				**Enactment Number:**	
Author:				**Hearing Date:**	
Entered by:	lwindsor-engnell@cityofmadison.com			**Published Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Council Office	10/16/2023	RECOMMEND TO COUNCIL TO ACCEPT - REPORT OF OFFICER				
	Action Text:	This Report was RECOMMEND TO COUNCIL TO ACCEPT - REPORT OF OFFICER					

Text of Legislative File 80404

Title
Consent Agenda Document (11/21/23)

City of Madison

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Master

File Number: 80307

File ID:	80307	**File Type:**	Ordinance	**Status:**	Council Recessed Public Hearing
Version:	1	**Reference:**		**Controlling Body:**	PLAN COMMISSION
				File Created Date :	10/10/2023
File Name:	Brayton Lot Building Height			**Final Action:**	

Title: Amending map in Section 28.071(2)(a) related to downtown height limits of the Madison General Ordinances to update the Downtown Height Map in the Brayton Lot area. (District 6)

Notes: 6799BraytonBuildingHeight

Sponsors:	Juliana R. Bennett, Derek Field, Yannette Figueroa Cole, MGR Govindarajan And Dina Nina Martinez-Rutherford	**Effective Date:**	
Attachments:	80307 Map, Zoning Text Memo 11-13-23 Downtown Height Map Change Brayton Lot.pdf, Public Comment 11-13-23.pdf, Alder Rummel Comments 11-13-23.pdf	**Enactment Number:**	
Author:	Kate Smith	**Hearing Date:**	
Entered by:	mglaeser@cityofmadison.com	**Published Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	10/10/2023	Referred for Introduction				
	Action Text:	This Ordinance was Referred for Introduction					
	Notes:	Plan Commission (10/30/23), Common Council (11/7/23)					
1	COMMON COUNCIL	10/17/2023	Referred	PLAN COMMISSION		11/13/2023	
	Action Text:	This Ordinance was Referred to the PLAN COMMISSION					
1	COMMON COUNCIL	11/07/2023	Re-refer	PLAN COMMISSION		11/13/2023	Pass
	Action Text:	A motion was made by Currie, seconded by Figueroa Cole, to Re-refer to the PLAN COMMISSION. The motion passed by voice vote/other.					
1	PLAN COMMISSION	11/13/2023	RECOMMEND TO COUNCIL TO ADOPT - RECESSED PUBLIC HEARING				Pass
	Action Text:	A motion was made by Figueroa Cole, seconded by Field, to RECOMMEND TO COUNCIL TO ADOPT - RECESSED PUBLIC HEARING. The motion passed by the following vote:					
	Notes:	On a motion by Ald. Figueroa Cole, seconded by Ald. Field, the Plan Commission found the standards met and					

recommended approval of the zoning text amendment to amend the Downtown Height Map to the Common Council. The motion to recommend approval passed by on the following 5-1 vote: AYE: Ald. Duncan, Ald. Field, Ald. Figueroa-Cole, Heck, Spencer; NAY: Sheppard; NON-VOTING: Zellers; EXCUSED: McCahill, Mendez, Solheim, Soldner.

Ayes:	5	Yannette Figueroa Cole; John W. Duncan; Derek Field; Kathleen L. Spencerand Patrick W. Heck
Noes:	1	Maurice C. Sheppard
Excused:	4	Arnold (Gabe) Mendez; Nicole A. Solheim; Christopher T. McCahilland Bob Soldner
Non Voting:	1	Ledell Zellers

Text of Legislative File 80307

Fiscal Note

The proposed ordinance amendment increases the allowed height limit for the Brayton Lot. No additional appropriation required.

Title

Amending map in Section 28.071(2)(a) related to downtown height limits of the Madison General Ordinances to update the Downtown Height Map in the Brayton Lot area. (District 6)

Body

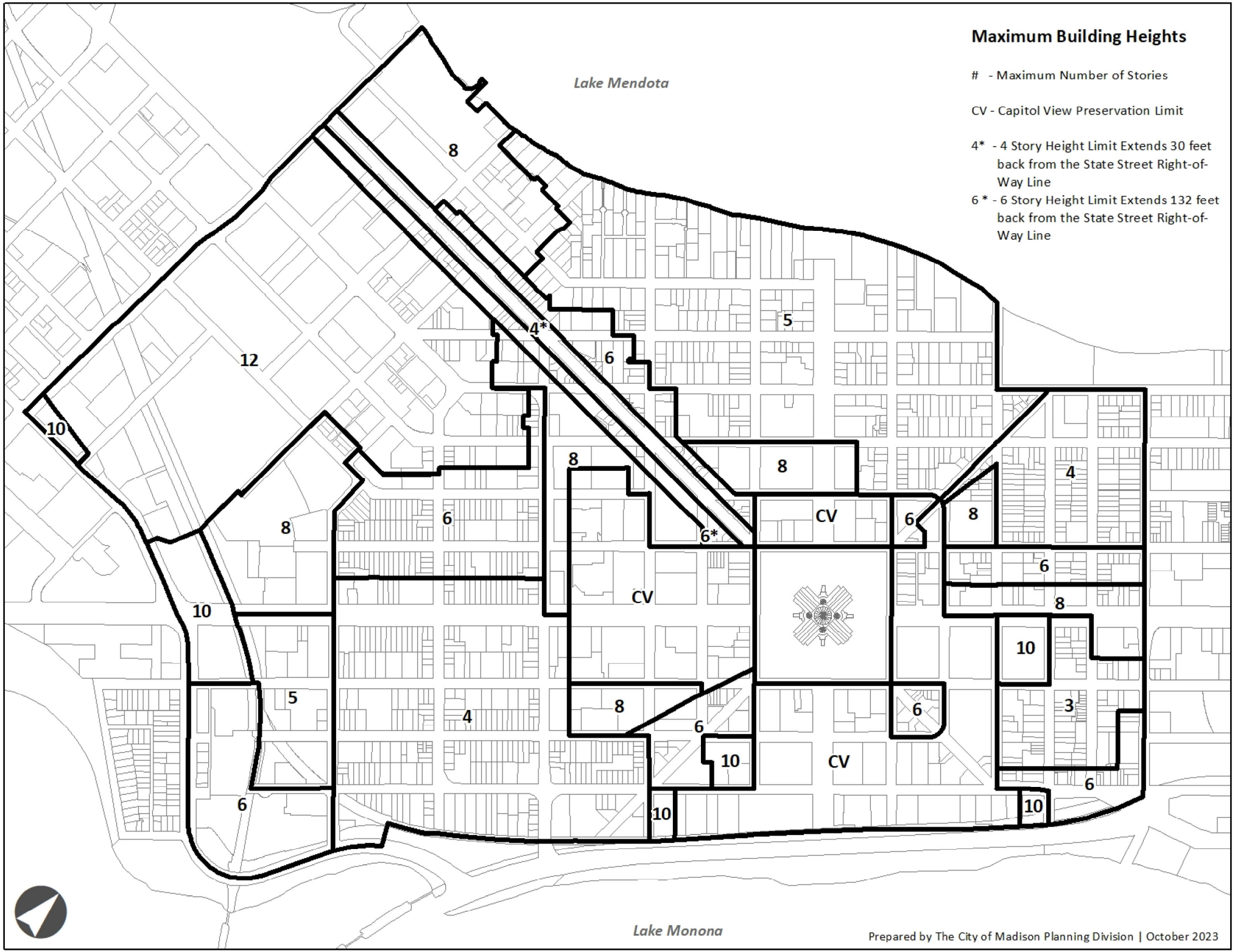
DRAFTER'S ANALYSIS: This amendment amends the downtown height map in MGO 28.071(2)(a) to increase the allowed height limit for the Brayton Lot from four (4) stories and sixty (60) feet to ten (10) stories and one hundred and forty four (144) feet. The Brayton Lot is located on East Main Street between South Butler Street and South Hancock Street. Currently, part of the Brayton lot is allowed to be 10 (ten) stories and another portion is allowed to be four (4) stories. The amendment is to change the portion that is currently an allowable four (4) stories and sixty (60) feet to be ten (10) stories and one hundred and forty four (144) feet. With that change, the entirety of the lot would be the same allowable height limit.

****

The Common Council of the City of Madison do hereby ordain as follows:

1. Subdivision (a) entitled "Downtown Height Map" of Subsection (2) entitled "Downtown Height and Stepback Requirements" of Section 28.071 entitled "General Provisions for Downtown and Urban Districts" of the Madison General Ordinances is amended to reflect an updated Downtown Height Map.

Please see Legistar File No. 80307 Map in Attachments for the amended Downtown Height Map.


Maximum Building Heights
- Maximum Number of Stories
CV - Capitol View Preservation Limit
4* - 4 Story Height Limit Extends 30 feet back from the State Street Right-of-Way Line
6 * - 6 Story Height Limit Extends 132 feet back from the State Street Right-of-Way Line
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Prepared by The City of Madison Planning Division | October 2023

PLANNING DIVISION STAFF REPORT

November 13, 2023

PREPARED FOR THE PLAN COMMISSION

Proposal: **Zoning Text Amendment**

Legistar File ID #: 80307 (Downtown Height Map Change – Increase Allowable Height on Block 113 (AKA Brayton Lot))

Prepared By: Planning and Zoning Staff

80307 – This amendment changes the downtown height map to increase the height limit for a portion of Block 113, also known as the Brayton Lot. The 2-acre block is owned by the City and is being used as a staging area for Bus Rapid Transit construction after decades of use as a surface parking lot. It is bounded by E. Washington Ave., S. Butler St., S. Hancock St., and E. Main St.

Background

Currently, a portion of Block 113 (approximately 1.4 acres) allows a maximum height of 10 stories/144 feet and a portion (approximately 0.6 acres) allows a maximum of 4 stories/60 feet. The amendment changes the portion that is currently 4 stories/60 feet to be 10 stories/144 feet. With the change, the entirety of the lot would allow buildings of up to 10 stories/144 feet.

Development of the site has been anticipated for decades and has been addressed in the First Settlement Master Plan (1995), Brayton Lot Framework (2001), Comprehensive Plans (2006, 2018), and the Downtown Plan (2012). These plans have been consistent in the recommended scale of new buildings with the larger buildings towards E. Washington Ave. occupying the majority of the block, stepping down to smaller buildings on E. Main St. to provide a transition to the First Settlement Neighborhood and local historic district across E. Main St. and S. Hancock St.

Block 113 was included as part of the City's match to fund the Bus Rapid Transit (BRT) project. A requirement of that match is that the City develop the site with transit supportive uses and the City is currently working through a process to determine how the development of this site can achieve other City priorities, such as providing affordable housing.

Zoning Code Height Provisions

The Downtown Plan recommended maximum building heights, in stories, across the downtown. For Block 113, it recommended 10 stories and 4 stories and that recommendation was codified (along with the other heights recommended in the Downtown Plan) with the adoption of the new Zoning Code in 2013. Below is an excerpt from the from the Zoning Code's Downtown Height Map that highlights Block 113.



MGO 28.071(2)(a)

On March 7, 2023, the Common Council adopted an amendment to the Zoning Code that added an affordable housing incentive where a project with affordable housing units can exceed the number of stories as long as the project does not exceed the maximum height in feet. That amendment included the table to the right that expresses the maximum height associated with each story limit in feet.

In the case of Block 113, this would likely mean that, due to the Capitol View Preservation Limit, a total of 11 stories could be built on the 10-story portion of the site if it met the affordable housing requirements. A total of 5 stories could likely be built on the 4-story portion.

Maximum Height
3 stories/46 feet
4 stories/60 feet
5 stories/74 feet
6 stories/88 feet
7 stories/102 feet
8 stories/116 feet
9 stories/130 feet
10 stories/144 feet
11 stories/158 feet
12 stories/172 feet

MGO 28.071(2)(a)

Proposed Amendment

On balance, staff believes that the current 10 and 4 story height limits for this block as reflected in the Downtown Plan and on the Downtown Height Map provide sufficient flexibility for a City-initiated development that would incorporate a substantial amount of affordable housing. In making their recommendation/decision, the Plan Commission and ultimately the Common Council should consider this, among other perspectives heard at the public hearings.

From: [redacted]
To: Plan Commission Comments
Cc: Rummel, Marsha
Subject: Agenda PC #25 Brayton lot allowable height change
Date: Monday, November 13, 2023 4:33:25 PM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

(redact email please from public post)

An important issue concerning affordable housing by residents and allowable Afffordable Housing using AMI criteria is a driver for the Brayton lot height amendment change request.

While housing cost is a a forefront issue, I urge the commission to respect the work and plan that have been the guideposts as the city grows. The lower limit on the residential, historic district street of E Main and S Hancock have been established intentionally and with purpose. Proponents suggest coding this change will open possibilities for a possibly small increase in affordable units. Experienced professionals at the public neighborhood meeting laid out why it is very unlikely to be so in reality of actual constraints. Additionally, discarding and discounting the established direction disrespects the efforts and wishes of those who've guided the direction to now who also support affordable housing and thriving neighborhoods.

Suggesting that a max height will not guarantee that height is pursued seems naive. If the height is changed, that is more likely to see a max height built.

I ask the commission to deny the this change and continue exploration of opportunities through the proposal process first while respecting maps and plans established thoughtfully and intentionally.

Thank you for your service.

Respectfully,
Juli Wagner
[redacted]

From: Sabine Droste
To: Plan Commission Comments
Subject: Brayton Lot zoning map amendment
Date: Monday, November 13, 2023 2:30:38 PM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Hello, I would like to register my opposition to the proposal to permit 10 or even 11 stories of development on the entire Brayton lot. The existing zoning proposal which specifies a step-down to 4 stories on Main and S Hancock has taken into due consideration the effect that such a large development would have the First Settlement. Amending the zoning height to 10 or 11 stories on all sides would add little in the way of additional density, and might even reduce this development's potential for a maximum number of affordable units because of the higher cost of units in high rise buildings. 10 or 11 stories on the East Washington and Buttler frontages should allow for sufficient density to make this project financially attractive to developers. Adding additional height on the other frontages will adversely affect residents in the First Settlement and will do little to help with Madison’s affordable housing problem. Thank You!

Sabine Droste
115 S. Franklin St.

From: Pete Souza
To: Plan Commission Comments
Subject: Braden lot
Date: Monday, November 13, 2023 12:42:15 PM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

I will be out of town this week but wanted to express my strong dissent in changing the zoning of the Braden lot adjacent to Main and Hancock from four to ten stories. Changing it to ten stories will forever change the First Settlement District and will set a precedent for future changes to zoning within the district. I would also mention that a ten story building would forever block the afternoon sunlight that is not an important part of living within the district.

Pete Souza
101 S. Franklin St.

From: Rummel, Marsha
To: Plan Commission Comments
Subject: Fw: PC 11.13.23 Comments
Date: Monday, November 13, 2023 7:13:51 PM

---

updated PC email

Marsha Rummel (she/her)
District 6 Alder
Subscribe to my blog: http://www.cityofmadison.com/council/district6/blog/
Please note: all email, regular mail, text, & written communications are subject to open record requests.

From: Rummel, Marsha
Sent: Monday, November 13, 2023 5:30 PM
To: Ledell Zellers; nicole.solheim@gmail.com; Bennett, Juliana; Figueroa Cole, Yannette; Duncan, John; Field, Derek
Cc: pCcomments@ciityofmadison.com; Stouder, Heather
Subject: PC 11.13.23 Comments

Greetings Plan Commissioners-

I don't have quick access to everyone's email, my apologies. I plan to attend and will be available for questions and comments.

Thanks for your service-

Marsha

7. 79962 112 S Hancock Street; First Settlement Historic District (District 6): Consideration of a conditional use in the Downtown Residential 1 (DR1) District for a multi-family dwelling (5-8 units) to allow a three-family dwelling to be converted into a five-unit multi-family dwelling.

I support the conditional use.

11. 80214 1129-1133 E Wilson Street (District 6): Consideration of a conditional use in the Traditional Employment (TE) District for free-standing vending located within 200 feet from the property line of a lot with a residential use to allow food carts/ trucks in the parking lot of a brewpub.

I support the conditional use.

25. 80307 Amending map in Section 28.071(2)(a) related to downtown height limits of the Madison General Ordinances to update the Downtown Height Map in the Brayton Lot area. (District 6)

I generally agree with the staff report: "In the case of Block 113, this would likely mean that, due to the Capitol View Preservation Limit, a total of 11 stories could be built on the 10-story portion of the site if it met the affordable housing requirements. A total of 5 stories could likely be built on the 4-story portion. On balance, staff believes that the current 10 and 4 story height limits for this block as reflected in the Downtown Plan and on the Downtown Height Map provide sufficient flexibility for a City-initiated development that would incorporate a substantial amount of affordable housing. In making their recommendation/decision, the Plan Commission and ultimately the Common Council should consider this, among other perspectives heard at the public hearings."

My goal is achieving maximum affordability, not maximum revenues from land sales. There is no guarantee that the excess proceeds would be used to offset unit costs on the site. We would then potentially be using AH funds or TIF to increase the subsidy to offset land costs. My understanding is that typically 9% tax credit projects are built using wood construction and are limited in height. I share the sponsors goals in getting the best outcome (a range from 30-80% AMI and market rate units) for this unique site but I am not convinced that changing the 4 story portion to 10 stories will do that compared to a more modest potential change to the 4 story portion to say 5 stories, considering that the downtown bonus story ordinance could come into play and add additional floor area.

Our adopted plans for the Brayton Lot have built in a step down to the residential neighborhood. Those same goals are also part of the north side of UDD 8 on E Washington as it steps down to the residential neighborhood along E Mifflin St. It seems like not only is it good urban planning to build in transitions but allows for the type of building form that generates deeper affordability.

26. 80281 Adopting an amendment to the City of Madison Comprehensive Plan.

I ran out of time to write up my comments but may try to speak on the topic of former map note #4..

Marsha Rummel (she/her)
District 6 Alder
Subscribe to my blog: http://www.cityofmadison.com/council/district6/blog/
Please note: all email, regular mail, text, & written communications are subject to open record requests.

City of Madison

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Master

File Number: 80308

File ID:	80308	**File Type:**	Ordinance	**Status:**	Council Recessed Public Hearing
Version:	1	**Reference:**		**Controlling Body:**	PLAN COMMISSION
				File Created Date :	10/10/2023
File Name:	Broom Street Building Height			**Final Action:**	

Title: Amending map in Section 28.071(2)(a) related to downtown height limits of the Madison General Ordinances to update the Downtown Height Map in the North Broom Street area. (District 4)

Notes: 6800BroomBuildingHeight

Sponsors:	Michael E. Verveer And MGR Govindarajan	**Effective Date:**	
Attachments:	80308 Map, Staff Comments, Link to Demo File 79966, Link to Ord File 80329, Link to Cond Use File 79967, Link to CSM File 79992, Link to Land Use Restriction File 80423	**Enactment Number:**	
Author:	Kate Smith	**Hearing Date:**	
Entered by:	mglaeser@cityofmadison.com	**Published Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	10/10/2023	Referred for Introduction				
	Action Text:	This Ordinance was Referred for Introduction					
	Notes:	Plan Commission (10/30/23), Common Council (11/7/23)					
1	COMMON COUNCIL	10/17/2023	Referred	PLAN COMMISSION		11/13/2023	
	Action Text:	This Ordinance was Referred to the PLAN COMMISSION					
1	COMMON COUNCIL	11/07/2023	Re-refer	PLAN COMMISSION		11/13/2023	Pass
	Action Text:	A motion was made by Currie, seconded by Figueroa Cole, to Re-refer to the PLAN COMMISSION. The motion passed by voice vote/other.					
1	PLAN COMMISSION	11/13/2023	RECOMMEND TO COUNCIL TO ADOPT - RECESSED PUBLIC HEARING				Pass
	Action Text:	A motion was made by Figueroa Cole, seconded by Duncan, to RECOMMEND TO COUNCIL TO ADOPT - RECESSED PUBLIC HEARING. The motion passed by voice vote/other.					
	Notes:	On a motion by Ald. Figueroa Cole, seconded by Ald. Duncan, the Plan Commission found the standards met and recommended approval of the zoning text amendment to amend the Downtown Height Map to the Common Council. The motion to recommend approval passed by voice vote/ other.					

Text of Legislative File 80308

Fiscal Note

The proposed ordinance amendment increases the allowed height limit for the North Broom Street area. No additional appropriation required.

Title

Amending map in Section 28.071(2)(a) related to downtown height limits of the Madison General Ordinances to update the Downtown Height Map in the North Broom Street area. (District 4)

Body

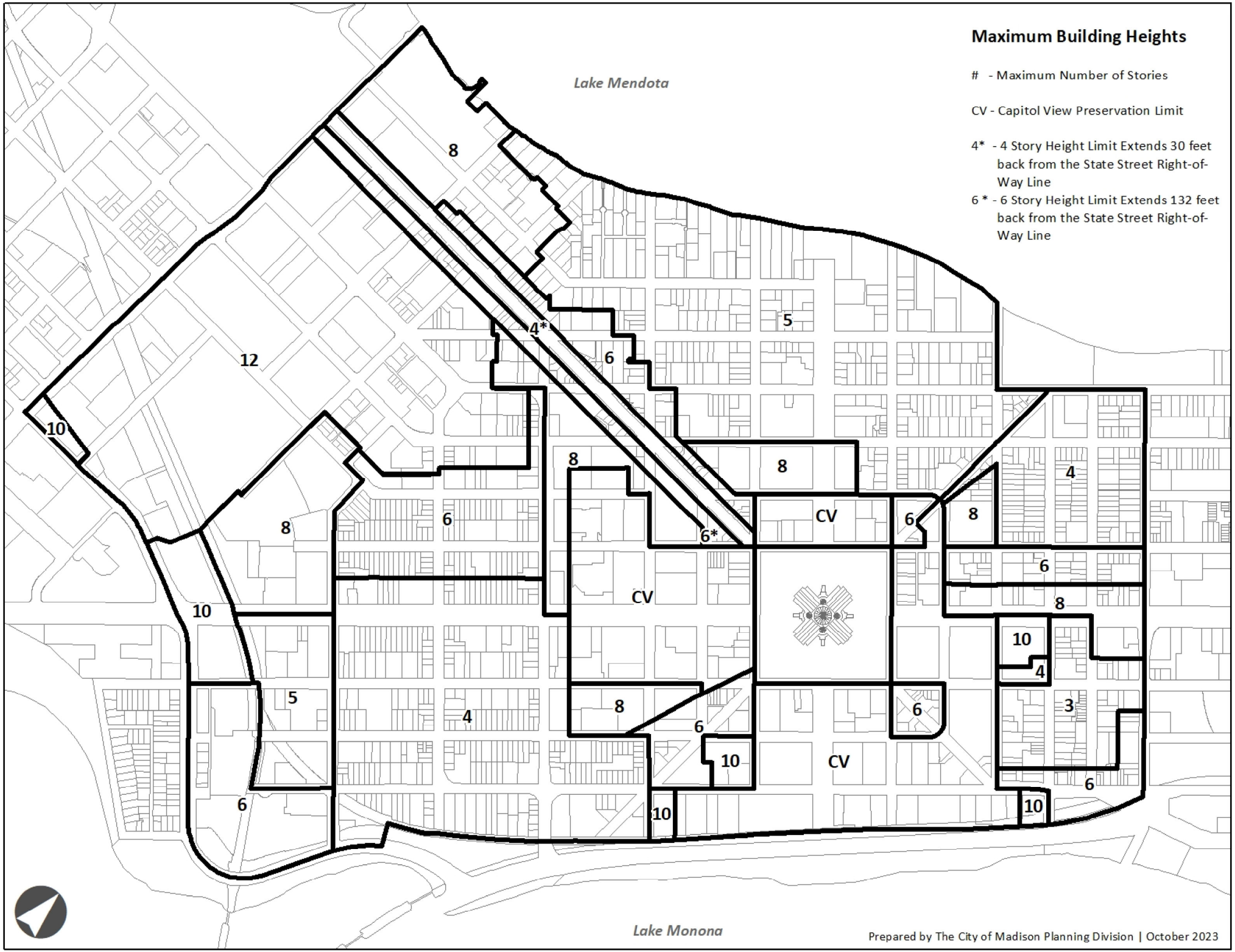
DRAFTER'S ANALYSIS: This amendment amends the downtown height map in MGO 28.071(2)(a) to straighten the dividing line along North Broom Street between allowable six (6) stories and twelve (12) stories on the downtown height map. The previously mapped building height lines jogged to follow lot lines that existed when the map was created. A proposed development will combine the adjacent lots making the jogged line unnecessary.

****

The Common Council of the City of Madison do hereby ordain as follows:

1. Subdivision (a) entitled "Downtown Height Map" of Subsection (2) entitled "Downtown Height and Stepback Requirements" of Section 28.071 entitled "General Provisions for Downtown and Urban Districts" of the Madison General Ordinances is amended to reflect an updated Downtown Height Map.

Please see Legistar File No. 80308 Map in Attachments for the amended Downtown Height Map.


Maximum Building Heights
- Maximum Number of Stories
CV - Capitol View Preservation Limit
4* - 4 Story Height Limit Extends 30 feet back from the State Street Right-of-Way Line
6 * - 6 Story Height Limit Extends 132 feet back from the State Street Right-of-Way Line
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Prepared by The City of Madison Planning Division | October 2023

PLANNING DIVISION STAFF REPORT

November 13, 2023

PREPARED FOR THE PLAN COMMISSION

Project Address: **405-407 & 431 W Gorham Street, 408-430 W Johnson Street, and 304-318 N Broom Street** (District 3 – Alder Verveer)

Application Type: Demolition Permit, Land Use Restriction Agreement, Zoning Text Amendment, Zoning Map Amendment, Conditional Use, and Certified Survey Map Referral

Legistar File ID # 79966, 80423, 80308, 80329, 79967, and 79992

Prepared By: Chris Wells, Planning Division
Report includes comments from other City agencies, as noted.

Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Doug Tichenor; Core Madison Broom, LLC; 1643 North Milwaukee Street; Chicago, IL 60647

Contact: Brian Munson; Vandewalle & Associates; 120 East Lakeside Street; Madison, WI 53715

Property Owners: 431 W Gorham Street and 430 W Johnson Street -- Johnson Associates, LLP; 826 North Star Drive; Madison, WI 53718

407 W Gorham Street and 308-318 N Broom Street -- Madfish on Broom, LLC; 1202 Regent Street; Madison, WI 53715

304 N Broom Street and 408-414 W Johnson Street -- JDM Properties, LLC; 101 N Mills Street; Madison, WI 53715

416 and 422 W Johnson Street -- Mullins Apartments, LLP; 401 N Carroll Street, Madison, WI 53703

405 W Gorham Street -- City of Madison Engineering Division; 210 Martin Luther King, Jr. Boulevard, Room 115; Madison, WI 53703

Requested Actions: There are six requests before the Plan Commission:

- 79966 - 407 and 431 W Gorham Street, 408-430 W Johnson Street, and 304-318 N Broom Street; District 4: Consideration of a demolition permit to demolition of 13 residential buildings for a proposed residential redevelopment.
- 80423 - Authorizing the inclusion of a Land Use Restriction Agreement as an exhibit to the Purchase and Sale Agreement between Core Spaces, LLC ("Purchaser") and the City of Madison for the Purchaser's acquisition of the property located at 405 W. Gorham Street (District 4)
- 80308 - Amending the map in Section 28.071(2)(a) related to downtown height limits of the Madison General Ordinances to update the Downtown Height Map in the North Broom Street area. (District 4)
- 80329 - Creating Section 28.022-00646 of the Madison General Ordinances to change the zoning of property located at 405-407 & 311 West Gorham Street, 408-430 West Johnson Street, 304-318 North Broom Street, 4th Alder District, from PD (Planned Development), CN (Conservancy), and UMX (Urban Mixed-Use) District to UMX (Urban Mixed-Use) District. (District 4)

- 79967 - 405-407 and 431 W Gorham Street, 408-430 W Johnson Street, and 304-318 N Broom Street (District 4): Consideration of a conditional use in the [Proposed] Urban Mixed-Use (UMX) District for a multi-family dwelling with greater than eight (8) dwelling units; consideration of a conditional use in the UMX District for a new building greater than 20,000 square feet and more than four stories; and consideration of a conditional use in the UMX District for outdoor recreation, all to allow construction of an eight- to fifteen-story apartment building with approximately 465 units.
- 79992 - Approving a Certified Survey Map of property owned by Core Spaces, LLC located at 405-407 and 431 W Gorham Street, 408-430 W Johnson Street, and 304-318 N Broom Street; District 4.

Proposal Summary: The applicant is requesting the approvals to allow construction of an 8- to 15-story apartment building with approximately 465 units of housing intended for students. The applicant proposes to commence demolition of the 13 existing structures and begin construction of the development in Summer 2024, with completion anticipated in Fall 2026.

Applicable Regulations & Standards: This proposal is subject to the standards for zoning map amendments [MGO Section 28.182(6)] and Demolitions [MGO Section 28.185(7)]. It is also subject to the standards for Conditional Uses [MGO §28.183(6)] as Table 28E-2 in MGO Section 28.072 states that in the [Proposed] Urban Mixed-Use (UMX) District, a conditional use is required for a multi-family dwelling with greater than eight (8) dwelling units; and for outdoor recreation. Additionally, MGO Section 28.076(4)(c) states, "*All new buildings and additions greater than twenty thousand (20,000) square feet or that have more than four (4) stories shall obtain conditional use approval. In addition, the Urban Design Commission shall review such projects for conformity to the design standards in Sec. 28.071(3), if applicable, and the Downtown Urban Design Guidelines and shall report its findings to the Plan Commission.*" Lastly, MGO Section 16.23(5)(g) provides the process and standards of approval for certified survey maps. The Supplemental Regulations [MGO §28.151] contain further applicable regulations for *Outdoor Recreation*.

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

Summary Recommendation:

- That the Plan Commission find that the standards for demolition permits are met and **approve** the demolition of the 13 residential buildings;
- That the Plan Commission forward the inclusion of a Land Use Restriction Agreement (as an exhibit to the Purchase and Sale Agreement between Core Spaces, LLC ("Purchaser") and the City of Madison for the Purchaser's acquisition of the property located at 405 W. Gorham Street) to the Common Council with a recommendation of **approval**.
- That the Plan Commission forward the amendment of the map in Section 28.071(2)(a) related to downtown height limits of the Madison General Ordinances to update the Downtown Height Map in the North Broom Street area to the Common Council with a recommendation of **approval**.
- That the Plan Commission find that the Zoning Map Amendment Standards are met and forward Zoning Map Amendment ID 28.022-00646, rezoning 405-407 & 311 West Gorham Street, 408-430 West Johnson Street, 304-318 North Broom Street, 4th Alder District, from PD (Planned Development), CN (Conservancy), and UMX (Urban Mixed-Use) District to UMX (Urban Mixed-Use) District to the Common Council with a recommendation of **approval**.

- That the Plan Commission find that the standards for conditional uses are met and **approve** a request for a multi-family dwelling with greater than eight (8) dwelling units in the [Proposed] Urban Mixed-Use (UMX) District; for a new building greater than 20,000 square feet and more than four stories in the UMX District; and for outdoor recreation in the UMX District - all to allow construction of an 8- to 15-story apartment building with approximately 465 units.
- Finally, should the other aspects of the proposal be approved, the Planning Division believes the technical standards for land divisions can be found met and recommends the Plan Commission should forward the Certified Survey Map to the Common Council with a recommendation of **approval**.

Approval of the project should be subject to input at the public hearing, and the recommended conditions beginning on **page 15** of this report for the land use requests, and on **page 25** for the CSM.

Background Information

Parcel Location: The development site is 73,127 square-feet (1.68 acres) in area and is located at the east end of the block bound by W Johnson Street, N Broom Street, W Gorham Street and N Bassett Street. The site has frontage along W Johnson and N Broom Streets, and again on W Gorham Street (see Image 1 in the Project Description section.) It is located within Alder District 4 (Ald. Verveer) and the Madison Metropolitan School District.

Existing Conditions and Land Use:

- According to City records, La Ville, the 10-story, 60-unit apartment building at 431 W Gorham Street, was originally constructed in 1990. It is zoned PD (Planned Development District);
- The 2-story, 2-unit at 407 W Gorham Street was originally constructed in 1894. It is zoned UMX (Urban Mixed-Use District);
- The parcel at 405 W Gorham St is vacant. It is zoned CN (Conservancy District);
- The 2-story, 2-unit at 318 N Broom Street was originally constructed in 1875. It is zoned UMX;
- The 2½-story, 4-unit at 314 N Broom Street was originally constructed in 1904. It is zoned UMX;
- The 2½-story, 3-unit at 312 N Broom Street was originally constructed in 1898. It is zoned UMX;
- The 2-story single-family residence at 308 N Broom Street was originally constructed in 1885. It is zoned UMX;
- The 2-story, 2-unit at 304 N Broom Street was originally constructed in 1870. It is zoned UMX;
- The 2-story, 2-unit at 408 W Johnson Street was originally constructed in 1899. It is zoned UMX;
- The 3-story, 9-unit apartment building at 412 W Johnson Street was originally constructed in 1990. It is zoned PD;
- The 2½-story, 3-unit at 414 W Johnson Street was originally constructed in 1899. It is zoned PD;
- The 3-story, 3-unit at 416 W Johnson Street was originally constructed in 1914. It is zoned UMX;
- The 4-story, 28-unit apartment building at 422 W Johnson Street was originally constructed in 1973. It is zoned UMX;
- The 8-story, 42-unit apartment building at 430 W Johnson Street was originally constructed in 1969.

Surrounding Land Uses and Zoning:

Northwest: The Equinox, a 12-story, 115-unit apartment building. Across W Johnson Street are two-story and three-story buildings with ground floor commercial and The James, a 12-story mixed-use building with ground floor commercial and 348 units, all zoned UMX (Urban Mixed-Use District), and 420 West, a six-story, 80-unit apartment building, zoned PD (Planned Development District);

Northeast: Across N Broom Street is a 2-story office building (the former city fire station) occupying the southern corner of the block and zoned UMX (Urban Mixed-Use District), and The Oliv – a 10-story, mixed-use building containing 386 units of student housing, retail, and business incubator space. It is zoned PD;

Southeast: Across W Johnson Street is the 12-story, 160-unit Lux apartment building and the 12-story, 326-unit Domain apartment building. Both are zoned UMX;

Southwest: An 11-story, 194-room Hampton Inn & Suites (which contains a restaurant on the ground floor) and the Aberdeen, a 12-story, 77-unit apartment building. Both are zoned PD.

Adopted Land Use Plan: Information regarding plan recommendations and consistency is located in the body of this report.

Zoning Summary: The site is proposed to be zoned to the UMX (Urban Mixed-Use) District

Requirements	Required	Proposed
Lot Area (sq. ft.)	3,000	73,127
Lot Width	30 ft	230 ft
Front Yard Setback	5 ft	5 ft
Max. Front Yard Setback	10 ft	5 ft
Side Yard Setback	5 ft	10 ft, 5 ft
Rear Yard Setback	10 ft	10 ft
Usable Open Space	10 sq ft/bedroom = 16,240	27,726 sq ft
Maximum Lot Coverage	90%	88%
Minimum Building Height	2 stories	8-14 stories
Maximum Building Height	8-14 stories	8-14 stories

Site Design	Required	Proposed
Number Parking Stalls	No minimum	124
Electric Vehicle Stalls	EV Ready: 12 EV Installed: 2	EV Ready: 124 (*See Comment #53*) EV Installed: 3
Accessible Stalls	5	5
Loading	No	No
Number Bike Parking Stalls	1 per d.u up to 2 br (465) + ½ space per add'l br (236) + 1 guest space/10 d.u. (47) + 1 per 2,000 sq ft retail (2) = 750	761 (*See Comment #54*)
Landscaping and Screening	Yes	Yes (*See Comment #55*)
Lighting	Yes	Yes
Building Form and Design	Yes	Commercial Block Building

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

Tables Prepared by Jacob Moskowitz, Assistant Zoning Administrator

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

Public Utilities and Services: The site is served by a full range of urban services, including Metro Transit service which operates daily all-day (eastbound) transit service along the priority W Johnson Street corridor, adjacent this property. Additional (southbound) trips operate along Bassett Street, opposite this property. Trips in the opposing one-way direction (westbound) operate along Broom Street and/or the priority W Gorham Street corridor.

Project Description

The applicant is requesting multiple approvals to allow construction of an 8- to 15-story apartment building with approximately 465 units. These approvals include the following:

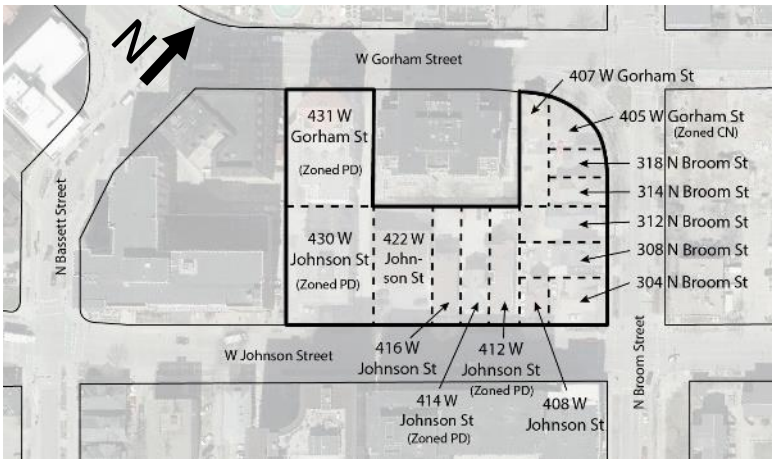


Image 1: The parcels proposed to be combined via Certified Survey Map (CSM) to form the subject parcel. Note: All parcels involved are zoned UMX (Urban Mixed-Use District) until noted otherwise.

- Demolition permits to raze thirteen residential buildings;
- A voluntary Land Use Restriction Agreement (LURA) to provide affordable units;
- A Zoning Text Amendment to make minor adjustments to the Downtown Height Map in the North Broom Street area;
- Three (3) Conditional Uses (for the number of units, for the size and height, and for outdoor recreation);
- A Zoning Map Amendment to rezone five of the parcels from the PD (Planned Development) and CN (Conservancy) Districts to UMX (Urban Mixed-Use) District to provide UMX zoning across the entire project site; and
- A one-lot certified survey map to combine the various lots into one development site.

The 1.68-acre subject site is located at the east end of the block bound by W Johnson Street, N Broom Street, W Dayton Street and N Bassett Street. (See Image 1.) There is roughly 12 feet of grade drop north to south across the site.

Information on the buildings proposed for demolition is summarized on page 3 of this report and photos of the interior and exterior of each of the thirteen buildings has been included in the applicant's materials.

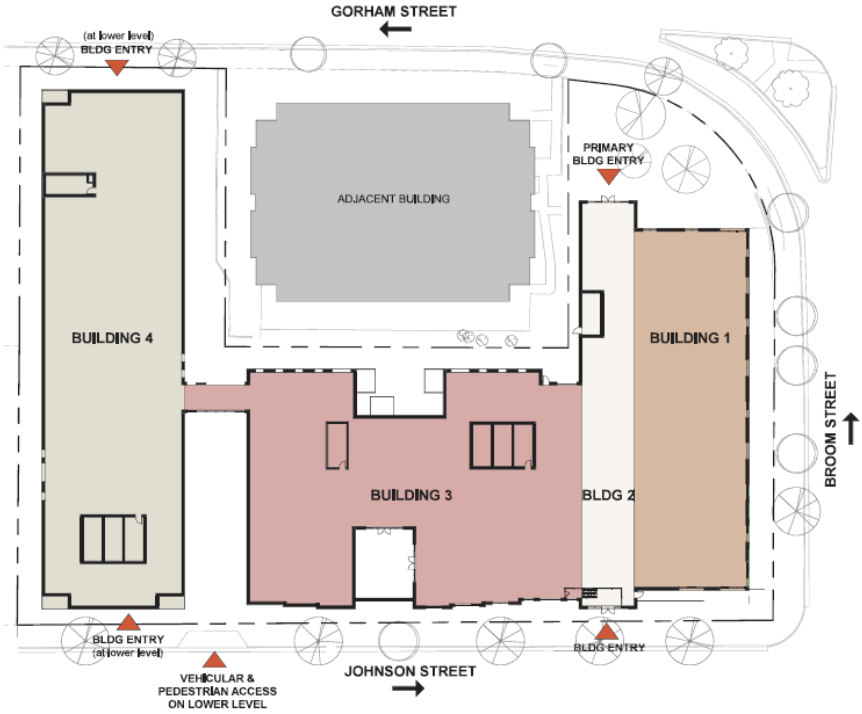


Image 2: The development's four building 'expressions' (masses)

As noted in the submitted materials, the proposed development is broken into four building 'expressions' (masses). (See Image 2). 'Building 1' is eight stories in height and is clad with a charcoal-colored brick on the ground floor. The façade of the upper floors is broken up into thirds, with sections clad with a medium brown brick bookending a center section which is clad with a charcoal-colored metal paneling.

'Building 2' is a slender 14-story mass clad with white metal paneling. It has an occupiable rooftop/amenity deck.

'Building 3' is a large 14-story mass. The exterior cladding accompanies the modulation of the façade along W Johnson Street with reddish brick cladding the portions of the façade located closest to the sidewalk and a charcoal-colored metal paneling cladding the recessed portions. It also has an occupiable rooftop/amenity deck.

'Building 4', offset from Buildings 1-3 (yet connected via a glass skyway at the second floor level), is 15 stories in height. It sits along the southwest property line, at the lowest point of the site, low enough to get an 'extra' floor. The first floor (the base) is clad with a charcoal-colored brick, floors 2-12 are clad with a whitish brick, and floors 13-14 are clad with a charcoal-colored metal paneling.

The Zoning Administrator has determined that the amenity deck (with pool and hot tub/spa) and enclosed amenity space located atop Buildings 2 and 3 constitute a 15th story.

Automobiles will enter off W Johnson Street near the southern end of the development. A circular turn around provides access to two levels of underbuilding parking. One, located on Lower Level 1 of Buildings 1-3, contains 53 automobile stalls and 318 bicycle stalls (and six stalls for deliveries and car-share pickup located just off the round-about). The other, located on Lower Level 2, beneath Building 3 and 4, contains 71 automobile stalls and 320 bicycle stalls. Additional rooms containing bicycle parking are located on the Lower Level 1 of Building 4.

As for the building's program, a roughly 4,000-square-foot retail space is located on Lower Level 1 (as labelled in the submitted materials), along Building 4's W Gorham Street frontage. A small lobby space is located at the south end of Building 4, along W Johnson Street, and provides access to elevators, stairs, and an indoor bicycle storage room. A lobby/leasing/amenity space covers nearly the entire eastern half of Level 1 - from the main entrance located at the northern corner of the development facing W Gorham Street, all along the N Broom Street façade, and halfway down the W Johnson Street façade. Residential units occupy the remainder of Level 1 and the entirety of the floors above. In total, there are a 465 units: 13 'micro' units, 35 'studio' units, 55 one-bedroom units, 168 two-bedroom units, 2 three-bedroom units, 101 four-bedroom units, 85 five-bedroom units, and 6 townhome units (3 four-bedroom units and 3 five-bedroom units). While there are a total of 1301 bedrooms, since a number of the units have two beds in a bedroom, there are 1,624 beds.

The applicant has voluntarily agreed to provide 10 percent of the beds (165 in all) at a rate that is 40-percent below the market rate. They are proposing to enter into a Land Use Restriction Agreement (LURA) with the City (Legistar File ID 80423) and a Memorandum of Understanding (MOU) with the University of Wisconsin's Office of Student Financial Aid. (The current version of the LURA can be found here.) The agreement would require that for a term of least 40 years, the applicant will provide 165 beds in two (2) bedroom dwelling units being leased to four (4) individuals at a rate at least 40-percent less than the market rate charged for a bed in a comparable bed in the building. These beds would be leased to qualified University of Wisconsin-Madison applicants as determined to be eligible by the University's Office of Financial Aid (UOFA). The terms of that agreement are voluntarily being agreed to by both the developer and City. Staff notes that as part of this review, the Plan Commission or Common Council do not have the ability to require affordable units or alter the terms of that agreement.

Since the proposed development would have a voluntary LURA to provide affordable beds, MGO Section 28.071(2)(a)2.a. states that it may exceed the maximum number of stories (i.e. 6 along N Broom Street and 12 for the rest of the site), "*provided the building remains at or below the maximum height in feet in Table 28E-3.*" (i.e. 88 feet for a six-story building and 172 feet for a 12-story building). To exceed the maximum number of stories, the code states that one requirement was if the development or redevelopment receives City of Madison funding to support affordable units. To this end, on September 19. 2023, the Council approved the sale of the 405 W. Gorham Street parcel between the City and Core Spaces, LLC for $1.00. As $1.00 is well below the appraised value, it is considered a form of financial contribution to support affordable units.

Regarding the impact to existing street trees, there are only two trees, both located along W Johnson Street, which proposed for removal (and Forestry is supportive of (see Condition #62)). The first is the 16" Elm (proposed to be removed for the proposed driveway apron) and the 19" Elm (proposed for removal due to construction conflicts).

Finally Staff note that Traffic Engineering is currently studying the possibility of removing the left-turn 'slip lane' northbound on N Broom Street onto W Johnson Street. Given the number of students that will reside in and visit the proposed development, safe pedestrian movement across N Broom and W Johnson Streets to and from the development is a concern. As Traffic Engineering noted in their submitted condition (#33), required improvements may include but are not limited to: signing and marking improvements, lighting improvements, constructing a raised crossing, reducing the width of the crossing and/or removal of the left turn lane from N. Broom Street to W. Gorham Street.

Analysis

This proposal is subject to the standards for zoning map amendments [MGO Section 28.182(6)] and Demolitions [MGO Section 28.185(7)]. It is also subject to the standards for Conditional Uses [MGO §28.183(6)] as Table 28E-2 in MGO Section 28.072 states that in the [Proposed] Urban Mixed-Use (UMX) District, a conditional use is required for a multi-family dwelling with greater than eight (8) dwelling units; as well as for outdoor recreation. Additionally, MGO Section 28.076(4)(c) states, "*All new buildings and additions greater than twenty thousand (20,000) square feet or that have more than four (4) stories shall obtain conditional use approval. In addition, the Urban Design Commission shall review such projects for conformity to the design standards in Sec. 28.071(3), if applicable, and the Downtown Urban Design Guidelines and shall report its findings to the Plan Commission.*" Lastly, MGO Section 16.23(5)(g) provides the process and standards of approval for certified survey maps. The Supplemental Regulations [MGO §28.151] contain further applicable regulations for *Outdoor Recreation*.

Conformance with Adopted Plans

The 2018 Comprehensive Plan recommends Downtown Mixed-Use (DMU) development for the subject site's entire block. The Plan notes that this includes "*intensive mixed-use development*" which is "*generally more* focused *on residential, retail, and service uses than Downtown Core (DC) areas, but may also include some government and employment uses."* The Plan also notes that, while subject to the Downtown Plan height map, some DMU areas "*are appropriate for mixed-use development that can rival development intensities within DC areas (e.g., Ovation 309, The James, and The Hub developments*)." (Page 24) For details on heights, mix of uses, ground floor uses, pedestrian friendly design, and other considerations which the Plan notes "must be addressed for development within this category", the Plan defers to the Downtown Plan.

The 2012 Downtown Plan notes that the appropriate height for new buildings is influenced by numerous factors such as topography, important view corridors and viewsheds, the presence of historic buildings, the use and scale recommendations for an area, and the existing scale of buildings in the vicinity. For the subject site, it recommends a maximum of 12 stories for the western half and six stories for the eastern. (See Image 3).

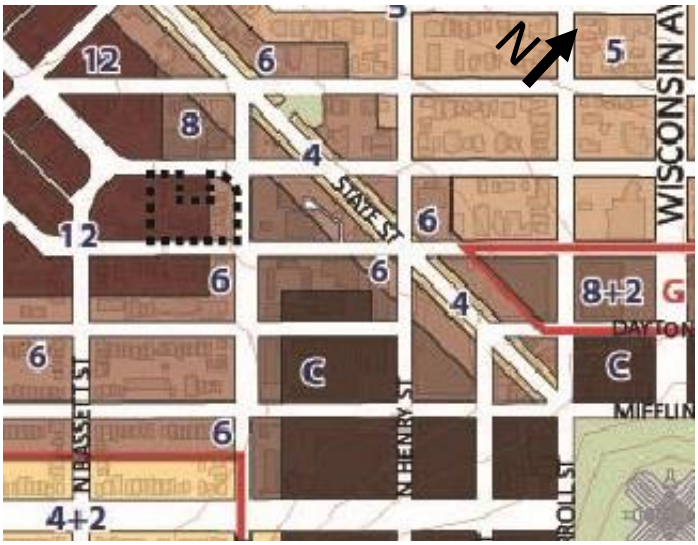


Image 3: Maximum Building Heights as Recommended by the Downtown Plan.

It also does identify the subject site within the "Johnson Street Bend" neighborhood/district for which it recommends, "*should continue as a primarily higher density student residential area mixed with some new neighborhood-serving retail uses. Underutilized parcels should transition to more intense development with a particular emphasis on creating active and engaging street frontages and quasi-public areas. Linkages to adjacent areas, including parks and open spaces, should be enhanced.*"

Relatedly, a zoning text amendment (Legistar File ID 80308) is working its way through the City's committees and commissions which would amend the Downtown Height Map in MGO Section 28.071(2)(a) related to in the North Broom Street area. (See Image 4 on the following page) It would straighten the dividing line along N Broom Street between allowable six (6) stories and twelve (12) stories on the downtown height map. The previously mapped building height lines jogged to follow lot lines that existed when the map was created. The proposed development will combine the adjacent lots making the jogged line unnecessary. This would bring the Zoning Code's building height map in line with the height recommendations of the Downtown Plan.

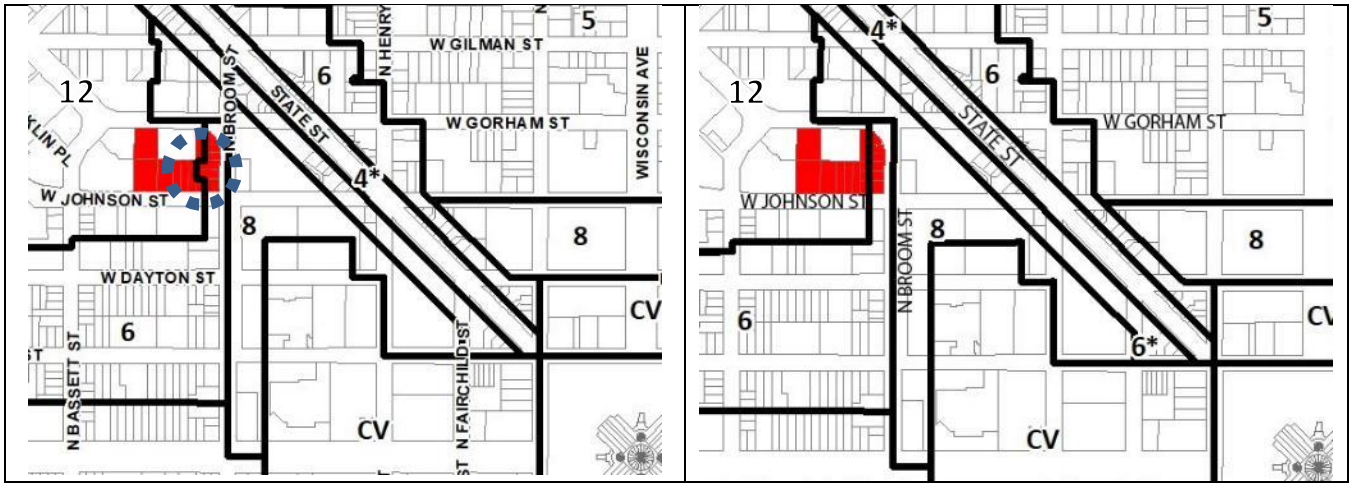


Image 4: Downtown Height Map in MGO Section 28.071(2)(a). Left: the current version (with the area proposed to be changes indicated with a dashed circle). Right: the proposed version with the change made.

As explained in the previous section, the proposed development exceeds the maximum number of stories allowed by the Zoning Code due to the fact that the City of Madison has granted funding in the form of a below-market value land sale to support the affordable units. That said, Staff believe the 8/15 stories to be consistent with MGO Section 28.071(2)(a)2.a. as the proposed building remains at or below the maximum height in feet in Table 28E-3. (i.e. 88 feet for a six-story building and 172 feet for a 12-story building). With the proposal, the eight-story mass is roughly 85 feet in height and the 15-story masses, even with the rooftop mechanical projections, is roughly 160 feet tall. (Staff note that the buildings, at its tallest, lies just below the Capital Height Projection Limit.)

Demolition Permit Standards

At its October 5, 2021 meeting, the Common Council adopted Ordinance 21-00065 (ID 67074) to revise the standards and process for demolition and removal permits in Section 28.185 of the Zoning Code to remove consideration of proposed future use as a factor in approving demolition requests. The Plan Commission shall consider the seven approval standards in §28.185(9)(c) M.G.O. when making a determination regarding demolition requests and find them met in order to approve. The factors include a finding that the proposed demolition or removal is consistent with the statement of purpose of the demolition permits section and with the health, prosperity, safety, and welfare of the City of Madison. The statement of purpose in Section 28.185 states, in part:

> *"The purpose of this section is therefore to ensure the preservation of historic buildings, encourage applicants to strongly consider relocating rather than demolishing existing buildings, aid in the implementation of adopted City plans, maximize the reuse or recycling of materials resulting from a demolition, protect the public from potentially unsafe structures and public nuisances…"*

Information on the buildings proposed for demolition is summarized on page 3 of this report and photos of the interior and exterior of each of the thirteen buildings has been included in the applicant's materials.

On balance, staff believes that standards can be found met and provides the following additional information.

In regards to Standard 1 related to the possible building relocation efforts, the Plan Commission is required to consider any information provided related to possible relocation activities. In submitted materials, the applicant states, "*The existing smaller scale buildings (SF, 2 unit, and 4 unit buildings) are not eligible for relocation due to the age of structures, impact on existing street trees and financial ramifications caused by the distance to any eligible relocation sites. The larger scale apartment buildings cannot be relocated due to the size of the structures.*"

In regards to Standard 6, Planning Division staff have not received any comments from City Building Inspection, Fire, or Police and have no further condition information other than the interior and exterior photos and a statement by the applicant that the structures are being proposed for demolition due to "*functional obsolescence, and inability for reuse/retention due to lot configuration impacts on the overall project site limiting the potential to incorporate City planning goals for the site*" (e.g. it would prevent the construction of a 6- to 12-story building as recommended by the Comprehensive Plan.) From the submitted information, staff is not aware of significant structural issues. While the code notes condition must be considered, it does not specify that a certain structural condition or level of disrepair is necessary in order to approve a demolition.

Related to the historic value of the structures, staff notes Standard 4 states:

> "*The Plan Commission has received and considered the report of the City's historic preservation planner regarding the historic value of the property as well as any report that may be submitted by the Landmarks Commission.*"

The Landmarks Commission reviewed the demolition of the thirteen buildings at its May 15, 2023 meeting and recommended to the Plan Commission that the buildings at 408 W Johnson Street, 412 W Johnson Street, 414 W Johnson Street, 416 W Johnson Street, 422 W Johnson Street, 430 W Johnson Street, 407 W Gorham Street, and 431 W Gorham Street "*have no known historic value.*"

Regarding the buildings at 304 N Broom Street, 308 N Broom Street, 312 N Broom Street, 314 N Broom Street, and 318 N Broom Street, the Landmarks Commission found that the buildings "*have historic value related to the vernacular context of Madison's built environment, but the buildings themselves are not historically, architecturally, or culturally significant.*" (Materials related to that review from the May 15, 2029 meeting can be found here: the Staff Report to the Landmarks Commission and the Meeting Report.)

Of note, in the Staff Report to the Landmarks Commission referenced above, for the building at 304 N Broom Street, Staff note: "*The preservation file names this Italianate structure the Frank Zehnpfenning house, a German immigrant shoemaker who lived in the house until 1881, after which, it was occupied for generations by the Cnare family. The Wisconsin Historical Society site file contains similar information*." For the building at 312 N Broom Street, Staff note: "*The preservation file for this property has limited information and names it the James Engelberger House, a vernacular Queen Anne structure. There is no site file with the Wisconsin Historical Society.*"

For the building at 318 N Broom Street, Staff note: "*The preservation file notes this building was constructed by James Livesey for Nicholaus Behrand, a German immigrant who initially operated a blacksmith shop on State and Gorham, and later became the bailiff for the U.S. Circuit Court. The Behrand family lived in this Italianate brick building until at least 1950 (except for a 12-year interval when they lived next-door). A 1950 article in the presentation files provides history on the importance of the family to the development of Madison. The Wisconsin Historical Society site file contains similar information.*"

For the structures at 308 and 314 N Broom Street, neither City preservation files nor site files with the Wisconsin Historical Society for these properties.

Standard 7, which includes references the standards 1-6 states that *"The Plan Commission shall consider the factors and information specified in items 1-6 and find that the proposed demolition or removal is consistent with the statement of purpose of this section and with the health, prosperity, safety, and welfare of the City of Madison."*

The Plan Commission should give careful consideration to the findings of the Landmarks Condition, including that the five buildings have value have historic value related to the vernacular context of Madison's built environment. Considering, however, that the buildings themselves were not found to be of historical, cultural, or architectural significance, on-balance, the Staff believes that the demolition permit standards can be found met.

Zoning Map Amendment Standards

Limited Zoning Map Amendments are proposed in order to provide consistent UMX (Urban Mixed-Use District) zoning across the proposed project site. The standards for Zoning Map Amendments state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City's Comprehensive Plan. 2010 Wisconsin Act 372 clarified "*consistent with" as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan*."

Staff believe the proposed rezonings are consistent with adopted plans and that the Zoning Map Amendment standards can be found met.

Conditional Use Standards

The Plan Commission may 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]."

Staff provide the following discussion:

Standard 2 states:

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

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

Standard 3 states:

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

The applicant has submitted a Management Plan which can be reviewed in the Legistar File for the conditional use and is linked here.

Standard 6 states:

> *"Measures, which may include transportation demand management (TDM) and participation in a transportation management association have been or will be taken to provide adequate ingress and egress, including all off-site improvements, so designed as to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets."*

The applicant will need to complete and submit a Transportation Demand Management Plan to be reviewed and approved by Parking prior to final sign off and issuance of permits.

Standard 9 states, in part:

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

Staff have a few concerns related to the building's design. The first, which was raised at the Urban Design Commission meeting on November 1, is the lack of ground-floor entrances along the entire 185-foot N Broom Street façade as well as roughly 230 feet of the W Johnson Street frontage. Staff note that the UDC at their aforementioned meeting on November 1, added a condition that an additional connection to the street be incorporated along the W Johnson Street frontage. Staff however still believe that an additional entrance is needed along the N Broom Street frontage noting that, if the Building 1 were a stand-alone building, that a primary entrance oriented to the primary abutting street would be required. (Staff acknowledge that an entrance facing W Gorham could meet this requirement if it were located at or wrapped the north corner).

The second concern is the significant blank wall expanse located on the upper floors of the southwest façade of Building 2 (see Sheet 36 "Elevation Promenade Bldg 3" in the submitted materials). The units on the first eight floors of that façade have multiple windows while the units on Floors 9-14 have none, despite the fact that the upper floors would actually afford a view and be less obscured by the adjacent 12-story Equinox building. When brought up to the applicant, they responded with the following, "*As presented to and approved by UDC, this area on the back side of building 2 is predominately bathrooms on the floors 9-14. This is in the narrow section of the building 2 and the design pushes the living room/kitchen/bedrooms to the Broom- and Gorham-facing facades to maximize views. This section of the building is also effectively screened from view by the Equinox as the building is pulled back from the street frontage and the two buildings are closest together along this property line.*" To this end, Staff note that the northwest façade of Building 2 is set approximately 50 feet further back from W Gorham Street than the same façade of the adjacent 12-story Equinox building meaning the views of the section of blank façade from the public right-of-way will be extremely limited.

Urban Design Commission Review

As the proposed building is located within the UMX (Urban Mixed-Use) District, the UDC is an **advisory** body on this request. Section 28.076(4)(c) states that: "All new buildings and additions greater than twenty thousand (20,000) square feet or that have more than four (4) stories shall obtain conditional use approval. In addition, the Urban Design Commission shall review such projects for conformity to the design standards in Section 28.071(3), if applicable, and the Downtown Urban Design Guidelines and shall report its findings to the Plan Commission."

At their meeting on November 1, 2023, the Urban Design Commission made an **ADVISORY RECOMMENDATION to the Plan Commission to grant Initial Approval with the project returning to the UDC for Final Approval**. (The Legistar File ID for the UDC's review of this project is 76205). A copy of the report of the UDC has been included at the end of this staff report). The motion, which passed with a unanimous vote, included the following condition:

- That a connection to the street be incorporated along the W Johnson Street frontage.

Supplemental Regulations

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

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

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

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

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

Regarding Regulation (c), the applicant's submitted management plan includes the hours of operation of the outdoor patios (9:00 am to 10:00 am on weekdays and 9:00 am to 11 pm on weekends) and a description of how the management team will help alleviate concerns:

> "*On-call team members will be available to visit the pool deck during these closing hours and escort customers off the rooftop. All access points to the pool deck will include a lock or fob reader to restrict customer access after pool hours. CCTV systems are also in place throughout the deck to ensure all activities are captured both during the day and evening should a trespass occur. To control resident and guest occupancy of the deck during popular periods random walks and checks are conducted by team members throughout the day and cameras can be viewed remotely to be sure these items are within normal operating standards. Each customer is only allowed one guest at a time on the deck and management has certain protections outlined in the rules and regulations section of the lease with wristbands or other guest and customer identifying measures to help control overcrowding and other noise concerns.*"

With the restrictions listed above, Staff believe the Supplemental Regulations can be found met.

Land Division

The applicant has submitted a certified survey map to combine the 405-407 & 431 W Gorham Street, 408-430 W Johnson Street, and 304-318 N Broom Street parcels in order to create one parcel. M.G.O. Section 16.23(5)(g) provides the process for certified survey maps. Staff believe that all applicable standards for land divisions can be found met, subject to the comments recommended by reviewing agencies.

Public Input

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

Conclusion

The applicant is requesting approval of a demolition permit to raze thirteen residential buildings, a Land Use Restriction Agreement related to the acquisition of the property located at 405 W Gorham Street, a zoning text amendment to update the Downtown Height Map in the North Broom Street area, three conditional uses (for the number of units, for the size and height, and for outdoor recreation), and a zoning map amendment to rezone five of the parcels from the PD (Planned Development) and CN (Conservancy) Districts to the UMX (Urban Mixed-Use) District to match the rest – all to allow construction of an 8- to 15-story apartment building with approximately 465 units. This applicant is also requesting approval of a one-lot certified survey map to combine the various lots into one development site.

While Staff believe the demolition, zoning map amendment, and land division standards can be found met, Staff have concern regarding Conditional Use Standard 9. As summarized in the report, Staff are concerned with the lack of entrances along large stretches of the building frontage and a large blank façade expanse.

Recommendation

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

- That the Plan Commission find that the standards for demolition permits are met and **approve** the demolition of the 13 residential buildings;
- That the Plan Commission forward the inclusion of a Land Use Restriction Agreement (as an exhibit to the Purchase and Sale Agreement between Core Spaces, LLC ("Purchaser") and the City of Madison for the Purchaser's acquisition of the property located at 405 W. Gorham Street) to the Common Council with a recommendation of **approval**.
- That the Plan Commission forward the amendment of the map in Section 28.071(2)(a) related to downtown height limits of the Madison General Ordinances to update the Downtown Height Map in the North Broom Street area to the Common Council with a recommendation of **approval**.
- That the Plan Commission find that the Zoning Map Amendment Standards are met and forward Zoning Map Amendment ID 28.022-00646, rezoning 405-407 & 311 West Gorham Street, 408-430 West Johnson Street, 304-318 North Broom Street, 4th Alder District, from PD (Planned Development), CN (Conservancy), and UMX (Urban Mixed-Use) District to UMX (Urban Mixed-Use) District to the Common Council with a recommendation of **approval**.
- That the Plan Commission find that the standards for conditional uses are met and **approve** a request for a multi-family dwelling with greater than eight (8) dwelling units in the [Proposed] Urban Mixed-Use (UMX) District; for a new building greater than 20,000 square feet and more than four stories in the UMX District; and for outdoor recreation in the UMX District - all to allow construction of an 8- to 15-story apartment building with approximately 465 units.

- Finally, should the other aspects of the proposal be approved, the Planning Division believes the technical standards for land divisions can be found met and recommends the Plan Commission should forward the Certified Survey Map to the Common Council with a recommendation of **approval**.

Approval of the project should be subject to input at the public hearing, and the recommended conditions beginning **below** for the land use requests, and on **page 25** for the CSM.

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

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

1. That in order for the development to meet Conditional Use Standard 9 in Section 28.183(6) of the Zoning Code, the Plan Commission finds, based on the recommendations and comments of the Urban Design Commission on November 1, 2023, that the following modifications and additional information are necessary as specified under condition 2, below. Prior to final sign-off and the issuance of building permits, a complete plan set with the following modifications and supplemental information shall be presented to the Urban Design Commission for their final review. The Urban Design Commission shall confirm that the modifications satisfy the intent of their initial recommendation and meet the applicable approval standards of Section 28.183(6)(9) and 28.076. The Urban Design Commission final review shall be limited to these specified items and any modifications to the previously reviewed plans falling under Urban Design Commission's purview.

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

2. Before any permits, including demolition permits, are issued for this project, the plans shall receive final approval from the Urban Design Commission, addressing the following consideration:

   a) That a connection to the street be incorporated along the W Johnson Street frontage.

The following conditions have been submitted by reviewing agencies:

Land Use Request – Demolition Permit, Zoning Map Amendment and Conditional Uses

Engineering Division (Main Office) (Contact Timothy Troester, (608) 267-1995)

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

4. Applicant shall provide projected wastewater flow calculations for the proposed development. Offsite sanitary sewer improvements may be required by the developer through a developer agreement as a condition for plan approval. Applicant shall provide project wastewater flow calculation to Mark Moder at mmoder@cityofmadison.com.

5. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)

6. Construct sidewalk, terrace, curb and gutter and pavement along Broom/Johnson/Gorham to a plan as approved by City Engineer

7. 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)

8. Provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system. (POLICY)

9. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at http://www.cityofmadison.com/engineering/permits.cfm. (MGO CH 35.02(14))

10. 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.

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

12. 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.

13. 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)

14. Revise plan to show the location of all rain gutter down spout discharge locations. Downspouts shall be directed to drain to public Right of Way (ROW). (POLICY)

15. 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.

16. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at https://dnr.wi.gov/topic/stormwater/publications.html

    This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit. (POLICY)

    This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.

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

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

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

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

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

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

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

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

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

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

19. Grant a Public Sidewalk and Bike Path Easement(s) to the City on the face of this Certified Survey Map to be approved by Engineering and Traffic Engineering

20. Any portion(s) of a public easement that is intended to be released shall be released by separate document prepared by City Office of Real Estate Services. Contact Jule Smith of Engineering Mapping (jsmith4@cityofmadison.com, 608-264-9276) to coordinate the Real Estate project, and associated information and fees required. If any release is required prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the plat. A release for the existing Public Easement for a Fire Hydrant appears to be required for proposed improvements. Assuming approval from the other appropriate agencies, Fire, Engineering and Water Department. Provide the fee, exhibit and legal description for the release of the easement.

21. Work with City Real Estate on the purchase of 405 W Gorham Street - ORES 12863.

22. The floor plans submitted do not show the updated layouts per the revised letter of intent. The original LOI indicates 453 units. The revised LOI increased it to 465 units.

23. 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.

24. Owner/Developer/Contractor are responsible for any rights that may be present for providing both communication and electrical utilities across the proposed development's parcel onto the adjacent 409 Gorham street parcel. There is an existing Utility Vault that is proposed to be removed and replaced. The proposed vault appears to serve both the developments parcel and the adjacent parcel. Owner/Developer/Contractor shall coordinate any required work to maintain existing connections and any required or necessary agreements/easements/rights to move and reestablish new connections with the adjacent parcel.

25. Multiple on-site easements will conflict with the proposed building. these will need to be released and recorded prior to permits for construction.

    Underground electric easement Doc 2238592.

    7 Joint Driveway Doc 398414 & 444810

    Ingress Egress Doc 2195181

    3' Wide Ingress Egress Doc 2195181

    8' Wide Easement Doc 481801 and 2195179

    24' Wide Easement Doc 2195180.

26. Update all sheets to show the official full street names. W Gorham Street, N Broom Street & W Johnson Street.

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

28. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. Also, include a unit matrix for apartment building that shows the number of units per 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 stamped Addressing Plan shall be included in said Site Plan Verification application materials or a revised plan shall provided for additional review and approval by Engineering.

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

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

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

29. Parking deck is insufficiently labeled/dimensioned for a proper review. If the parking does not meet MGO 10.08 the applicant can expect to be required to make major alteration which may or may not impact structural elements of this site.

30. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along W. Gorham Street.

31. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along W. Johnson Street.

32. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along N. Broom Street.

33. Due to the increased intensity of pedestrian activity at N. Broom Street and W. Gorham Street resulting from the increased density of this development, City Traffic Engineering intends to study the feasibility of making alterations to the existing left turn lane from N. Broom Street onto W. Gorham Street. Pending the results of the study, the applicant shall work with Traffic Engineering and Engineering Divisions on improving the existing pedestrian crossing of W. Gorham Street adjacent their proposed project. Improvements may include but are not limited to: signing and marking improvements, lighting improvements, constructing a raised crossing, reducing the width of the crossing and/or removal of the left turn lane from N. Broom Street to W. Gorham Street.

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

35. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.

36. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.

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

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

39. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.

40. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). 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 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.

41. All parking ramps as the approach the public Right-of-Way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the Right-of-Way. If applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.

42. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds three stories prior to sign-off to be reviewed and approved by Andrew Oliver, (267-1979, aoliver@cityofmadison.com) Traffic Engineering Shop, 4151 Nakoosa Trail. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.

43. The driveway slope to the underground parking is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.

44. The applicant shall provide a clearly defined 5' 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.

45. "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.

46. 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.

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

48. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.

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

50. Note: This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, protected walkways will be constructed and maintained as soon as possible and little to no access to the Public Right-of-Way on W. Johnson Street, W. Gorham Street, and N. Broom Street will be granted for construction purposes. Provide a detailed construction plan to Traffic Engineering for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff.

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

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

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

52. The calculations and comments below are based on the unit count and bedroom mix described in the letter of intent (465 units). However, the submitted plans show 453 units. Clarify on final plans the unit mix and submit revised floor plans.

53. Label the EV ready stalls, or clarify on the plans that all stalls are EV ready.

54. Provide the minimum required number of bicycle parking spaces distributed as both Short Term and Long Term bicycle parking for the residential and commercial uses, as required per Sections 28.141(4) and 28.141(11). A minimum of 702 resident bicycle parking spaces are required plus 47 guest stalls. A minimum of 90% of the resident stalls shall be designed as long-term parking, and the guest stalls shall be short-term parking. Up to twenty-five percent (25%) of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking. A minimum of 2 short-term bicycle stalls shall be required for the commercial uses. Identify and dimension the bicycle stalls, including the access aisles, on the final plans. Provide a detail of the bicycle rack design.

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

56. Section 28.185(9)(b) requires that every applicant for a demolition or removal approval that requires approval by the Plan Commission is required to get a Reuse and Recycling Plan approved by the City Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9)(b) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for two (2) years from the date of the Plan Commission approval.

Madison Fire Department (Contact Bill Sullivan, (608) 261-9658)

57. MFD has safety concerns with the location of the primary entrance along the left hand turning lane from Broom Street onto Gorham Street. We anticipate vehicles stopped for emergency services, deliveries and/or pick-ups will result a greater risk of traffic collisions.

58. The complexity of the proposed building will result in multiple fire protection features such as but not limited to FDCs, FAAP, & key boxes. Additional conversations regarding fire & life safety systems will be required prior to construction.

Parks Division (Contact Kathleen Kane, (608) 261-9671)

59. 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 Central Park-Infrastructure Impact Fee district. Please reference ID# 23036 when contacting Parks about this project.

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

60. 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.

61. 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 who's 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.

62. City Forestry will issue a street tree removal permit for two trees: 16" Elm for driveway apron & 19" Elm for construction conflicts along W Johnson Street. 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.

63. 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 (608) 266-4816. Penalties and remediation shall be required. Add as a note on the site, grading, utility, demolition, and street tree plan set.

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

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

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

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

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

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

70. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction (website: https://www.cityofmadison.com/business/pw/specs.cfm) - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan and street tree planting plan shall be submitted in PDF format to City Forestry for approval of planting locations within the right of way and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note on both the landscape and street tree plan sets: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.

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

71. Private wells may have served the parcels associated with this project prior to municipal water service connections. The existing properties will require an internal and external survey for potential unabandoned private wells prior to proceeding with demolition. Any remaining unused/unpermitted private wells existing on this parcel must be properly abandoned according to Wisconsin Administrative Code NR 812 and Madison General Ordinance 13.21 prior to the demolition of the property. Please contact water utility staff at (608) 266- 4654 to schedule an on-site private well survey prior to demolition, otherwise for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs. 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.

72. 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.

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

73. The City of Madison will designate a vehicle travel lane on the south side of West Johnson Street as a fixed guideway facility for transit operations with the Federal Transit Administration. This official designation, and the associated restrictions against general traffic usage, allows the City of Madison to receive annual Federal funding that goes towards the operation and maintenance of these lane facilities for transit operations.

74. Any operational impacts to the designated transit travel lane along West Johnson Street, that may be approved by City Traffic Engineering to facilitate construction of this project, may require that the applicant post a deposit or otherwise reimburse Metro Transit and the City of Madison for the potential loss of Federal funding - for any period of time where scheduled transit trips might be operationally impacted from having exclusive access to this fixed guideway facility.

75. The applicant shall include the location of these facilities on the final documents filed with their permit application, so that Metro Transit may review and effectively plan for City transit access adjacent this property.

76. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 366 Weekday & 165 Weekend (average). Please contact Metro Transit if additional analysis would be of interest.

Certified Survey Map

Engineering Division (Main Office) (Contact Timothy Troester, (608) 267-1995)

77. Drainage comes to this site from offsite locations. The site design shall accommodate existing off site drainage that enters this property.

78. 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)

79. Construct sidewalk, terrace, curb and gutter and pavement along Broom/Johnson/Gorham to a plan as approved by City Engineer

80. 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)

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

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

82. Contact Grant a Public Sidewalk (s) to the City on the face of this Certified Survey Map. Easement to provide a 8' terrace, a 6' sidewalk and 1' maintenance area final location to be approved by Engineering and Traffic Engineering. Contact Jule Smith with Engineering Mapping (jsmith4@cityofmadison.com, 608-264-9276) for the final easement language to be included on the face of the CSM.

83. Any portion(s) of a public easement that is intended to be released shall be released by separate document prepared by City Office of Real Estate Services. Contact Jule Smith of Engineering Mapping (jsmith4@cityofmadison.com, 608-264-9276) to coordinate the Real Estate project, and associated information and fees required. If any release is required prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the plat. A release for the existing Public Easement for a Fire Hydrant appears to be required for proposed improvements on the associated concurrent development plans. Assuming approval from the other appropriate agencies, Fire, Engineering and Water Department. Provide the fee, exhibit and legal description for the release of the easement.

84. Work with City Real Estate as needed on the purchase of 405 Gorham St - ORES 12863

85. Show the "Recorded as" information for the segment adjacent to C1 from Document 1243394 and show and the no access areas acquired in Document 1243394 and cite them acquired as such.

86. Various easement exist on site for cross access, ingress egress, and electric utility the structure in the proposed development conflicts with easements as currently shown on the CSM. Currently title is not even held to clear some of these up with the act merger. Release these easements provide the recorded documents and remove them from the CSM.

87. Fully detail the 8’ Wide Joint Driveway Easement Doc. No 592654 that appears to be remaining

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

89. In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The Surveyor shall identify any deviation from City Master Control with recorded and measured designations. Visit the Dane County Surveyor's Office (web address https://www.countyofdane.com/PLANDEV/records/surveyor.aspx) for current tie sheets and control data that has been provided by the City of Madison.

90. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM in pdf format must be submitted by email transmittal to Engineering Land Records Coordinator Jule Smith (jsmith4@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.

91. Per 236.20(2)(h) show the center line of all streets.

92. Show the "Recorded As" Bearings for Johnson Broom and Gorham Street per the Pritchette Plat... 45° in all directions. Also show the "Recorded As" Lot distances where applicable of 66' x 132' such as the common line between lot 5 and lot 6 should be shown as (132')

93. List the adjustment use for the coordinate system i.e. NAD 83(2011)

94. There are currently multiple owners and mortgagees for the property. make sure any and all are property listed at the time of final review that may pertain to the property

95. Further explain, revise or find further evidence against the 64.85' Right-of-Way width of W. Johnson Street. No found monuments have been shown in this area and this does not seem to be the case when comparing to CSM 13892

96. Submit to Jule Smith, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work, preferably closed polylines for lot lines, shall be void of gaps and overlaps and match the final recorded plat:

    a) Right-of-Way lines (public and private)

    b) Lot lines

    c) Lot numbers

    d) Lot/Plat dimensions

    e) Street names

    f) Easement lines (i.e. all shown on the plat including wetland & floodplain boundaries.)

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

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

97. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along N. Broom Street.

98. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along W. Gorham Street.

99. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along W. Johnson Street.

100. Due to the increased intensity of pedestrian activity at N. Broom Street and W. Gorham Street resulting from the increased density of this development, City Traffic Engineering intends to study the feasibility of making alterations to the existing left turn lane from N. Broom Street onto W. Gorham Street. Pending the results of the study, the applicant shall work with Traffic Engineering and Engineering Divisions on improving the existing pedestrian crossing of W. Gorham Street adjacent their proposed project. Improvements may include but are not limited to: signing and marking improvements, lighting improvements, constructing a raised crossing, reducing the width of the crossing and/or removal of the left turn lane from N. Broom Street to W. Gorham Street.

Parks Division (Contact Ann Freiwald, (608) 243-2848)

101. LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.

102. Park impact fees are due and payable prior to issuance of building permits.

Office of Real Estate Services (Contact Lance Vest, (608) 245-5794)

103. Prior to approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate(s) on the CSM shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report.

    When possible, the executed original hard stock recordable CSM shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.

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

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

106. All ownership consents and certifications for the subject lands shall conform to Wis. Stats. 236.21(2) and 236.29 by including the language …surveyed, divided, mapped and dedicated….

107. As of October 20, 2023, the 2022 real estate taxes are paid for the subject property.

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

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

108. As of October 20, 2023, there are no special assessments reported. All known special assessments are due and payable prior to CSM approval sign-off. If special assessments are levied against the property during the review period and prior to CSM approval sign-off, they shall be paid in full pursuant to Madison General Ordinance Section 16.23(5)(g)1.

109. 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 survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report (May 18, 2023) submitted with the CSM application and include all associated documents that have been recorded since the initial title report.

    A title commitment may be provided, but will be considered only as supplementary information to the title report update. Surveyor shall update the CSM with the most recent information reported in the title update. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.

The following agencies have reviewed this request and has recommended no conditions of approval:

Planning, Zoning, Assessor's Office, Fire, Forestry, Water Utility, Metro, Parking

URBAN DESIGN COMMISSION MEETING REPORT **November 1, 2023**

Agenda Item #:	**9**
Project Title:	304-318 N Broom St/408-430 W Johnson St/407 & 431 W Gorham St – New Student Housing Building in UMX Zoning
Legistar File ID #:	76205
Members Present:	Cliff Goodhart, Chair; Jessica Klehr, Shane Bernau, Rafeeq Asad, Marsha Rummel, Wendy Von Below, Christian Harper and Russell Knudson
Prepared By:	Jessica Vaughn, AICP, UDC Secretary

Summary

At its meeting of November 1, 2023, the Urban Design Commission made an advisory recommendation to the Plan Commission for **INITIAL APPROVAL** of a new student housing project located at 304-318 N Broom Street/408-430 W Johnson Street/407 & 431 W Gorham Street in UMX Zoning. Registered and speaking in support were Brian Munson, and Jeff Zeliesko. Registered in support and available to answer questions were Suzanne Vincent, Austin Pagnotta, and Doug Tichenor.

Zeliesko commented that he has been reflecting over the last two informational meetings, this project is a great example of government and the private sector working together to elevate a project from where it started to where it has evolved. He is very excited about where the project now, and feels that with staff and the Commission, they have made a really big and important project way better by working together. Thank you for that.

Zeliesko provided an overview of the Commission's comments, including those pertaining to color, green roofs, landscape around the front of the building, and refining the design of the masonry. They have continued to refine the entry court with entry points and will continue to do so. The bridge is something that activates and connects Buildings 3 and 4. On Building 1, there was discussion on making this a U shaped element, but the E shape is very important. The top of the building is really activated with landscape and uses. Building 1 was really squat before, and they updated it to add metal panels between each floor, which added a vertical element. A much lighter color has been used at the ground level to lighten up the base of the building. More color variation has been incorporated into the material palette across materials. Lots of landscape material has been added up against the building along W Johnson Street. They worked on the bridge quite a bit, it is much more elegant than what was shown previously. The buildings really do seem like they have been built at different times, like a collection of buildings.

The Commission had the following questions for staff and the development team:

- This is like the most improved thing that I have seen in a very long time. For where it was and where it is now, the way materials are starting to overlap, intersect, transition, I love the details. Very good improvements. Do you only have two very small MEP penthouses – is that all you need?
    - They are not small. They are 10,000 square feet, they are significant. As we continue with that, if there are any adjustments we would come back to you with those.
- I don't think the penthouse has to match the façade. Lighter would blend into the sky, but darker could work. Very good job of improving the design.
- Was there an intent to light those mass elements in some way?
    - No that was not a part of what we were focusing on.
- Can you describe why the second level is so important for the bridge?

    - There are amenities that can be accessed by the residents without having to go outside. We like the bridge idea, it's dynamic, the buildings are separated but still tied together.
- We've seen a clearer vision for the rooftops and I'm thinking about the people in Building 4 getting there. Wondering if a higher bridge would be a better benefit.
    - The rooftop is all within Buildings 2 and 3 intentionally. We were trying to build off of staff's recommendation to separate these into two masses as much as possible. This reinforces that expression for the upper floors as completely detached buildings.
- There are a lot of changes and some of them are quite attractive. With regard to the staff report looking at the residential units located on the auto court and whether they should be on Johnson Street at all, as opposed to somewhere else, Broom Street?
    - The grade transition across Johnson creates both opportunities and challenges. It becomes a full exposed lobby space on Building 4. As you go into Building 3 and move up towards Broom Street, it eventually comes down to the amenities at grade with Broom Street. We looked at how we both activate and transition across that. On the Broom Street corner where we're flush it's mostly a landscape treatment that comes down the hill. He Transition from Building 2 down to the western edge of Building 3 where we have a half floor, we have a combination of landscape treatment but also opportunities for public art panels. The maintenance room is where we start to transition from a partial exposed floor to a full floor exposure. Those are townhome units so you would enter from the second floor and come down into this living room level. We felt it was important to continue that activity down to the sidewalk.
- Could you show the rendering?
    - We had townhomes with residential along this whole stretch, there was discomfort with that. When we brought the residential down we didn't want two units with direct access from the street. There is activity because there are recessed terraces behind the face of the building. Good for activity without adding two small entrances that didn't seem to be enough.
- I think that one of the difficulties is that this development is broken into four buildings. 1, 2 and 4 do a really nice job of expressing themselves as buildings because they have entries or retail, or big amenity spaces. This expresses itself certainly as its own building, but it defies entry. You look at that and think that could be a separate building, but without the retail, you can't get in there anymore. This is the urban design problem of the whole project, it probably has a lot to do with the grade. You look at this and say "this can't be its own building, you can't even get in there." There's this screen on top of the maintenance room, and I think it's the one element that's giving me the biggest heartache and concern, this rendering. I'm also a bit confused about the metal panel over the brick and being the same color, but that's not really an urban design issue. That may have something to do with the staff report about blank walls, street orientation and entry.
- I'm having a hard time understanding the space between the south side of the existing building, the U-shape, what happens in there? It's hard to tell. I wish there were some sections through there, I'm curious what it feels like. Over on the east side coming around, is that the Equinox building? Curious about the safety in there, if it's dark at night what it feels like.
    - There are a bunch of things going on back here. Coming off the plaza on our side we have a sidewalk and exiting path for the building. This area through here is lawn, but it tips down. There is a retaining wall that spans that grade, this area of the Equinox is up a floor. They have some sidewalks through here but not a lot of activated space on that side of the building. We do have some lighting along there for the exiting path, but there's not a lot of back and forth. This side is the driveway entry to their underground parking. At street level we're roughly at grade, this sidewalk will be higher in sections than the driveway down to the Equinox. Then as you come to the south it begins to transition back down to grade. This is designed here for people to go through, all the combinations of lighting in there to make that inviting. This zone here is not an activated zone, it's a transition in grade adjacent to some of the utility rooms within our building, and the retaining wall on the Equinox side.
- The exiting path on the east side, is that high building on one side and retaining wall on the other?

    - No, it might be a little bit higher than sidewalk grade is for the Equinox. It's not a hidden zone along that east side.
  - Can you clarify again where you said the blank façade is on the upper floors?
    - This is the wall. The higher units have bathrooms in those locations. That's where we end up not having windows there, that's where plumbing walls are located. Its better that there aren't windows there in relation to the Equinox building.
  - On that elevation, there are windows on the first five floors or so?
    - Right.
  - Those aren't looking directly into the Equinox?
    - There's glass that does wrap around on those lower floors. Those are bedroom windows from 9 down. There's a living room window here, totally different planning from the floors above.
  - I'm confused why on the upper floors it would be a concern that you're looking into the Equinox, but it's not a concern on the lower floors where you do have windows.
    - We have almost a single-sided hallway. We wanted to move as much of the glazing out to the exterior viewpoint, which by default, we've got this narrow expression here above floor 9. We wanted to keep windows out which means the bathrooms are clustered in that corner.
- One questions for staff; on Johnson Street, the narrow white building, it has a very cool canopy, but it looks like it is coming out over the sidewalk. Is that allowed?
- (Secretary) Yes, a Privilege in Streets Permit would be required, depending on the encroachment.
    - We are anticipating obtaining a Privilege in Streets Permit.
- Are you planning on a restaurant amenity for that second floor of Building 2 or 1? I am asking about kitchen exhaust. Thinking about the conditions of that alley.
    - Yes, we are planning for it, and it is a good use for that space, but we cannot guarantee that. That is what we envision there and would set aside the provisions for putting in ducting and proper exhaust for a restaurant space.
- I would recommend you try to avoid putting kitchen exhaust into that area [the promenade] and take it out to the street where air and wind can take it away. I am also thinking about that generator. No one wants that running. It needs to be tested, it will add emissions, noise, etc. into that tight area.
    - Similar to what we have done at the Oliv, James and The HUB, the design of that front façade retail is going to be set-up to address venting points to give us flexibility because we don't know. As far as the generator there is a retaining wall right here that will help shelter some of that noise, but the thought is to vent towards the side yards and not the promenade.
- I want to point out some things I like: the art panels going up Johnson, that is really exciting and a cool splash of color, and the landscape, that will be a nice addition to that foundation. I like the healthy sized green roofs. Architecturally, I like the material palettes are how they are limited – it strengthens the identity of each building and mass without endlessly changing between materials like we often see. It really reinforces the mass which is great. Bike parking, I trust that you have all that you need, is there any at grade bike parking along Johnson?
    - We tried to scatter it throughout the site, clustered it around entrances. We have bike rooms at grade at Building 4 accessible from the exterior. We have bike parking components in the middle, left of the entry of Building 3. We have bike parking clustered in the plaza space. We do not have bike parking on the Johnson frontage but do in the auto court, which is visible from the street, outside the building.
- The corner of Gorham and Broom – that plaza is nice. The tapestry of paving and protecting edge with low raised planters that you can see over is very successful.
- Can you elaborate on the planting scheme for the green roofs? Profiles, intensive, extensive?
    - With regard to the Broom Street plaza I will just note that we are working with staff, entertaining the idea that the slip lane goes away, but hopefully one day that plaza could be expanded, but that is outside of our scope.
    - The lower roof deck on level 9, this is our most intensive green roof treatment; a 12-inch system with lots of perennials, color, texture, plants that would provide a benefit for pollinators.
- What is defining those edges of the pattern – is that planting to planting or is it a pavement band?

    - There will be a maintenance edge along the perimeter but the interior line work is the division of planting areas. We are not thinking there will be anything exposed there.
    - On this level, on top of Building 2, there is more of a traditional green roof 6-inch profile with sedums, within that there will be some strategic areas with taller plantings mixed in, but generally it is more of what you think of when you think green roof. On the top of Building 3, there is a range of depths, some we can do small trees and large shrubs, definitely perennials too. Kind of a little bit of everything.
- Going back down to grade, am I right that most of the street terrace is lawn where all the street trees are?
    - Yes.
- It looks like you are protecting a lot of trees? Curious what if anything is changing?
    - These are all the existing that are going to remain. Two on this frontage and one here. We are keeping the rhythm but filling in the gaps where driveways are being removed. To clarify, there are two removals on W Johnson, there is a root condition and the other will be removed due to the new driveway.

The Commission discussed the following:

- The staff memo talks about the height, materials, long views; I am ok with all of those things. I like the simplified forms, and the attention to details. I am not uncomfortable as it relates to those items.
- I agree, I know staff asked us to look at height, mass, and scale and note the tallest capital view height limit, but I do not have issues with those. In general the refinements that were made to the materials and detailing are much improved; it is looking to be quite handsome. The concern about the massive urban design problem – the building that has no entry, also remains my only concern. I do not have issues with the detailing of the bridge connection, the design detailing along the promenade and building. It is a bit odd and problematic and I am not sure how it gets solved. In some sense that screening makes it worse, not only is it not an entry but it is actually blocked. That is for me problematic and it is also enhanced by the linearity of the landscape that runs straight through. There is not an entry, there was never going to be an entry, and you are cut off from the street. It is the one thing that I am really stuck on. Most buildings have an entry and so it is odd; I understand that they are doing form follows function, but this is truly an urban design problem and the biggest hang up to getting an approval.
- This is half the block, Building 3. When we are all talking about hitting it out of the park 99 percent of the time, I don't necessarily feel like we can't criticize a focused area and ask for improvement there. This is on paper and there are certainly other ways to look at it. I'm not suggesting we completely redesign the building, but I especially, what you mentioned about this wall here. I could see a set of cascading stairs coming down, this is a little courtyard I think and it probably doesn't even need to be accessible because there are other accessible paths to that area. It is not up to us to design it, but if this is to give us the illusion of a separate building, it is a little fortress like.
- The staff report did talk about not having any entrances along Broom Street, but Broom Street is so open and glassy it doesn't given the illusion that you cannot get in there. And Building 4 is really successful because you have these two entrances here on the north and south sides. You can see the difficulty in the slope there and it makes it really tough because you have parking on side and apartments on the other. It's not an easy problem to fix, but it is an urban design problem.
- If this was one building and it looked like one building, this would not be a concern, right? I'm trying to think out loud and play this through. If there were two entries on Johnson Street, this wouldn't be a problem?
- We don't know. They are trying to make them look like separate buildings, so therefore this looks like a separate building with no entrance.
- I understand that. I personally have no issue with it. Would it be better with an entry, yes, but to me it's not a deal breaker. They could turn the maintenance room and put an entry in there, they could come up with a solution. If we require an entry, they will make an entry.
- I don't know that we dictate entry, but here's an outdoor open space. If there was a connection to the sidewalk, it doesn't necessarily have to be an entrance to the building.
- I agree, to me it is the last little problem, that street connection. Otherwise I have no other comments or critiques. They will figure it out.

- Are we speaking mainly to the access or lack thereof of the two five-bedroom units, or just the building in general? The functionality of having a Johnson Street entry to those, they're the only two residences on that floor, the rest is retail and amenity space.
- There's no entrance along here but certainly street activation. It's not something that is a prescriptive solution, it's a concern that staff raised and since it's half a block of Johnson Street, a main thoroughfare, that's something to be addressed. And the continuous landscaping makes it more of a barrier.
- It's a straight arrow that is preventing the connection from the building to the sidewalk. We don't need to design it but there needs to be at some point that urban connection.
- I'm open to any kind of elegant solution to your concerns, but personally it's not rubbing me the wrong way.
- I think the townhouses there are awkward. I understand the concern from that perspective. I wonder if there is an easy solution, a way to empower pedestrians to go into the vehicle space/promenade, and a stronger way to connect all the way through for a pedestrian that also activates that lobby. I wonder if there is a way to activate internally so people know that's how you get into this building, you go in and under, it's well lit and there's a purpose towards that elevator. Any similar thoughts?
- I'm trying to grapple with this façade because it is so monumental. It reminds me of downtown Chicago retail with these enormous three-story glass walls. But that's not what it is, it doesn't feel like it's accomplishing…I want to make sure we're all keeping in mind the height, the bonus stories.
- (Secretary) The model we're using to evaluate height is afforded to them under the UMX zoning district. We won't be looking at the PD standards, they are in the process of negotiating a voluntary land use agreement for the bonus stories. That is something the Plan Commission and Common Council will be evaluating. The UDC is looking at the building in terms of the Downtown Design Guidelines.
- You all taught me as the citizen member to look at a building as four-sided. This is a six-sided building, this side doesn't work as part of a four-sided building to me. It looks pretty but doesn't feel pedestrian friendly, it's too monumental.
- Are we dying on the hill that this needs to have an entrance?
- I don't want to die on a hill, and I don't know that it needs an entry. I think it needs a connection to the street somehow.

A motion was made by Asad, seconded by Von Below, to make a recommendation for Initial Approval with the condition that they incorporate a connection to the street along the W Johnson Street elevation.

Discussion on the motion:

- I do agree that it can be a little bit better. Seeing how much it improved from the last time, I know when it comes back it will be ready for Final Approval. The other side on Broom Street is not an entry, but it's classy, it's active, there are things you can easily do. Look at it one more time, there are so many options to solve that problem.

Action

On a motion by Asad, seconded by Von Below, the Urban Design Commission made an advisory recommendation to the Plan Commission for **INITIAL APPROVAL**. The motion passed with the following condition:

- That a connection to the street be incorporated along the W Johnson Street frontage.

The motion was passed on a unanimous vote of (7-0).

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80281

File ID:	80281	**File Type:**	Ordinance	**Status:**	Council Public Hearing
Version:	1	**Reference:**		**Controlling Body:**	PLAN COMMISSION
				File Created Date :	10/06/2023
File Name:	Comprehensive Plan 2023 Interim Update			**Final Action:**	

Title: Adopting an amendment to the City of Madison Comprehensive Plan.

Notes: 6798ComprehensivePlan2023

Sponsors:	Satya V. Rhodes-Conway, John W. Duncan And Derek Field	**Effective Date:**	
Attachments:	List of proposed Comp Plan revisions_2023_10-11, Draft_GFLU_Map_2023-1011, 2023_11_13 Plan Commission Memo.pdf, Institutional_Uses_on_GFLU_Map.pdf, Public Comments 9-28_11-13-23.pdf, Link to Resolution File ID 80367	**Enactment Number:**	
Author:	Kate Smith	**Hearing Date:**	
Entered by:	mglaeser@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	10/06/2023	Referred for Introduction				
	Action Text:	This Ordinance was Referred for Introduction					
	Notes:	Plan Commission (11/13/23), Common Council (11/21/23)					
1	COMMON COUNCIL	10/17/2023	Referred	PLAN COMMISSION		11/13/2023	
	Action Text:	This Ordinance was Referred to the PLAN COMMISSION					
1	PLAN COMMISSION	11/13/2023	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING				Pass
	Action Text:	A motion was made by Figueroa Cole, seconded by Field, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.					
	Notes:	On a motion by Ald. Figueroa Cole, seconded by Ald. Field, the Plan Commission recommended approval to the Common Council of the proposed amendments to the Comprehensive Plan as outlined in the staff memo dated November 13, 2023 and the following additions and revisions: - Draft text to include in the Low Residential (LR) category description October 11, /2023 version: *"Many small institutional uses, such as places of worship, are mapped as Low Residential (LR), consistent with their surroundings. If current institutions embedded in residential areas relocate, cease to exist, or remain as part of a redevelopment, such sites may be redeveloped with more intensive residential uses. Redevelopment with*				

*Low-Medium Residential (LMR) uses is appropriate. In limited circumstances, intensities and heights in the Medium Residential (MR) land use category could be appropriate for **the site or** a portion of the site. Due to site**[1]**specific considerations, MR intensities may not be appropriate for all sites. Factors to be considered include relationships between proposed buildings and their surroundings, natural features, lot and block characteristics, and access to urban services, transit, arterial streets, parks, and amenities."*

- In the new LMR escalator clause, remove language related to Area Plans as follows: ** Appropriate in select conditions at up to 70 DU/ac and four stories. ~~**except for parts of the city with an Area Plan adopted after the 2023 Comprehensive Plan Interim Update.**~~ Factors to be considered include relationships between proposed buildings and their surroundings, natural features, lot and block characteristics, and access to urban services, transit, arterial streets, parks, and amenities.

- Draft text to include in the Special Institutional (SI) category description October 11, 2023 version: *"Buildings that include places of worship, schools, and other institutions may be optimal for adaptive reuse or redevelopment with residential uses when the institutional use(s) relocate, cease to exist, or perhaps remain as part of a redevelopment. These sites are often embedded in residential areas, and are typically larger than most surrounding residential lots, making them good candidates for more intensive residential development. Redevelopment with Low-Medium Residential (LMR) uses is appropriate. In limited circumstances, intensities and heights in the Medium Residential (MR) land use category could be appropriate for **the site or** a portion of the site. Due to site-specific considerations, MR intensities may not be appropriate for all sites. Factors to be considered include relationships between proposed buildings and their surroundings, natural features, lot and block characteristics, and access to urban services, transit, arterial streets, parks, and amenities."*

- Related to the specific amendments to Generalized Future Land Use maps,
  - Application 1 - Keep as LR
  - Application 4 - Keep as Employment
  - Application 7 - Keep as Employment/Industrial
  - Application 8 - Change from Employment to MR

- Add a definition of 'community gardens' to the Comprehensive Plan.

The motion to recommend approval as amended passed by voice vote/ other.

Text of Legislative File 80281

Fiscal Note

No City appropriation is required with the adoption of this amendment to the City of Madison Comprehensive plan. City costs associated with urban development in accordance with the plan will be included in future operating and capital budgets subject to Common Council approval.

Title

Adopting an amendment to the City of Madison Comprehensive Plan.

Body

DRAFTER'S ANALYSIS: This ordinance adopts a new Interim Update to the City of Madison Comprehensive Plan.

****

The Common Council of the City of Madison do hereby ordain as follows:

WHEREAS, on August 7, 2018 the City of Madison Common Council adopted a full update to the City's Comprehensive Plan, as defined in Wisconsin Comprehensive Planning Law Sec. 66.1001 Wis. Stats.; and

WHEREAS, on June 6, 2023 the Common Council authorized the Planning Division to lead an interim update to the Comprehensive Plan focused on updating the Generalized Future Land Use (GFLU) Map and formally adding a Health & Safety element; and

WHEREAS, on June 6, 2023 the Common Council adopted a public participation plan, as required by Wis. Stat. § 66.1001(4), which described how the City intended to make the process accessible to all; and

WHEREAS, the public participation process included an interactive website, a virtual meeting, emailed project updates to interested parties and neighborhood associations, distribution of informational materials, social media posts, traditional media, and several Plan Commission meetings; and

WHEREAS, since adoption of the Comprehensive Plan in August of 2018 the City of Madison has adopted or amended fourteen sub-area plans as supplements to the Comprehensive Plan and the land use recommendations from these plans are incorporated into the draft GFLU Map compiled by Planning Division staff; and

WHEREAS, at their September 7, 2023 and September 18, 2023 meetings, the Plan Commission reviewed potential changes to the GFLU Map submitted by the public and recommended further consideration of several proposed changes; and

WHEREAS, notice was provided pursuant to Wis. Stat. § 66.1001(4)(d) and the Plan Commission held a public hearing on the proposed amendment to the Comprehensive Plan on November 13, 2023; and

WHEREAS, this Interim Update serves as an update to the Housing Element of the Comprehensive Plan; and

WHEREAS, the Plan Commission, by a majority vote of the entire Commission recorded in its official minutes, adopted a resolution recommending the Common Council adopt the amendment to the City of Madison Comprehensive Plan containing all of the elements specified in Wis. Stat. § 66.1001(2); and

WHEREAS, following adoption, the amendment shall be incorporated into the Comprehensive Plan.

NOW, THEREFORE, the Common Council of the City of Madison does, by the enactment of this ordinance, formally amend the City of Madison Comprehensive Plan, including any amendments to the Plan made from the Common Council floor, pursuant to Wis. Stat. § 66.1001(4)(c).

2023 Comprehensive Plan Interim Update

List of Proposed Revisions to the Comprehensive Plan

Revised: October 11, 2023

The City of Madison is currently working on an Interim Update of its 2018 Comprehensive Plan. The Interim Update is focused on the Generalized Future Land Use (GFLU) Map. Proposed revisions to the Comprehensive Plan are summarized below in three sections:

- Staff-recommended revisions to the GLFU Map,
- GFLU Map amendment applications from the public,
- Summary of other revisions to the Plan document.

Staff-recommended revisions to the GLFU map

1. Modify the GFLU Map to reflect planned streets and land use recommendations in plans amended or adopted after the 2018 Comprehensive Plan.
    a. Elderberry Neighborhood Development Plan (NDP) Amendment (July 2018)
    b. Pioneer NDP Amendment (July 2018)
    c. Junction NDP Amendment (July 2018)
    d. Milwaukee Street Special Area Plan (December 2018)
    e. Triangle-Monona Bay Neighborhood Plan (July 2019)
    f. Rattman NDP (July 2019)
    g. Mifflandia Neighborhood Plan (November 2019)
    h. Nelson NDP (November 2019)
    i. Oscar Mayer Special Area Plan (July 2020)
    j. East Washington Avenue Capitol Gateway Corridor Plan Amendment (October 2020, July 2021) Note: additional GFLU revisions in this plan area are also proposed to make land use consistent with height regulations in Urban Design District #8.
    k. Odana Area Plan (September 2021)
    l. South Madison Neighborhood Plan (January 2022)
    m. Greater East Towne Area Plan (February 2022)
    n. Yahara Hills NDP Amendment (May 2022)
    o. Shady Wood NDP Amendment (January 2023)
    p. Hawthorne-Truax Neighborhood Plan (March 2023)
    q. Reiner NDP (June 2023)
2. Adjust GFLU Map to reflect McFarland annexations on the far southeast side of the city.
3. Adjust GFLU Map to reflect the intergovernmental agreement with the Town of Cottage Grove to the east of the city boundary.
4. Designate City-owned parks and stormwater areas of over one acre that were not shown as Parks and Open Space as Parks and Open Space. Note: the 2018 Plan states that existing and planned parks/stormwater areas over one acre were shown, but some were missing.
5. Update areas impacted by recent approvals, such as plats (for example, the Raemisch Farm on the north side) and recent City land purchases for parks.

GFLU Map amendment applications from the public

In addition to staff administrative updates drafted as a result of previously adopted plans, the public had the opportunity to propose GFLU Map amendments. Those amendment applications are summarized here and geographically specific amendments are mapped on the interactive 2023 Draft GFLU Map. At their September 7 and September 18 meetings, Plan Commission received early public comment and provided guidance to staff about the GFLU amendments submitted by the public. The Revised Draft of the 2023 GFLU Map will be formally reviewed by the Plan Commission at a public hearing on November 13, 2023, followed by review by Common Council.

Summary of other revisions to the Plan document

In addition to the summary list of proposed revisions below, details about each revision can also be found within this **interactive markup of the Comprehensive Plan**.

Note: items that have been revised since Plan Commission reviewed them at their September 7 and September 18 meetings are highlighted in yellow.

A. Update cover of Plan to include the date amended in 2023.
B. Include a cover memo after the cover page to acknowledge implementation progress relating to major policies/initiatives sine the Comprehensive Plan was adopted in 2018. The cover memo will also briefly explain the Plan adoption and amendment history.
C. Update Plan text and diagrams throughout the document to reflect the addition of the new seventh Element, Health and Safety, which was adopted by Common Council in 2022. Add Health and Safety at the end of the Plan after Effective Government. Add Health and Safety recommendations to the table in Appendix A.
D. Update the population forecast on page 3 and modify related text elsewhere in the document (Growth Framework and Land Use and Transportation Element).
E. Update the Generalized Future Land Use (GFLU) Map.
F. Update other maps within Plan document (excluding the appendices), except for the Food Access Map on page 60 and the Tier 1 sidewalk map on page 42 (add footnote to reference Complete Green Streets Guide).
G. Update map notes on page 19 associated with the Generalized Future Land Use (GLFU) Map. Delete 2018 map notes 1, 2, 3, 15, 16, 21; modify #4 to remove reference to "house like residential 'character'" due to exclusionary connotation; modify #8 due to the Alliant Energy Center Master Plan and adopted South Madison Plan; modify #9 to reflect new Parks Division office; add three new map notes.
H. Add language under "Low Residential (LR)" on page 20 addressing redevelopment of small Special Institutional uses designated as LR. This change is being proposed to make it easier for a vacant/underutilized place of worship to redevelop all or part of the site into housing, for example.
I. Add language under "General Commercial (GC)" on page 24 to guide consideration of residential development in GC areas.
J. Add language under "Employment (E)" on top of page 25 to guide consideration of residential development in employment areas.
K. Add text within the description for Park and Open Space on page 25 to include urban agriculture and community gardens as appropriate uses.
L. Add Neighborhood Planning Area (NPA) GFLU category description which was inadvertently left out on page 25 under "Special Categories."

M. Add paragraph on page 26 to provide guidance for redevelopment of Special Institutional areas into non-institutional uses. This change is being proposed to make it easier for a vacant/underutilized place of worship to redevelop all or part of the site into housing, for example.
N. Modify Peripheral Planning Areas section (text and map) on pages 26-28 to reflect newly approved Neighborhood Development Plans (NDPs) and boundary agreements.
O. Update list of adopted plans on pages 125-126.
P. Add missing UrbanFootprint chart on page 138.

Comprehensive Plan Generalized Future Land Use Map
2023 Interim Update - October 2023 DRAFT

- Map Note
- City or Village
- Town
- Planned Street Network (2023)
- 2018-2023 Land Use Change (Staff)

Map Amendments Proposed by Members of the Public

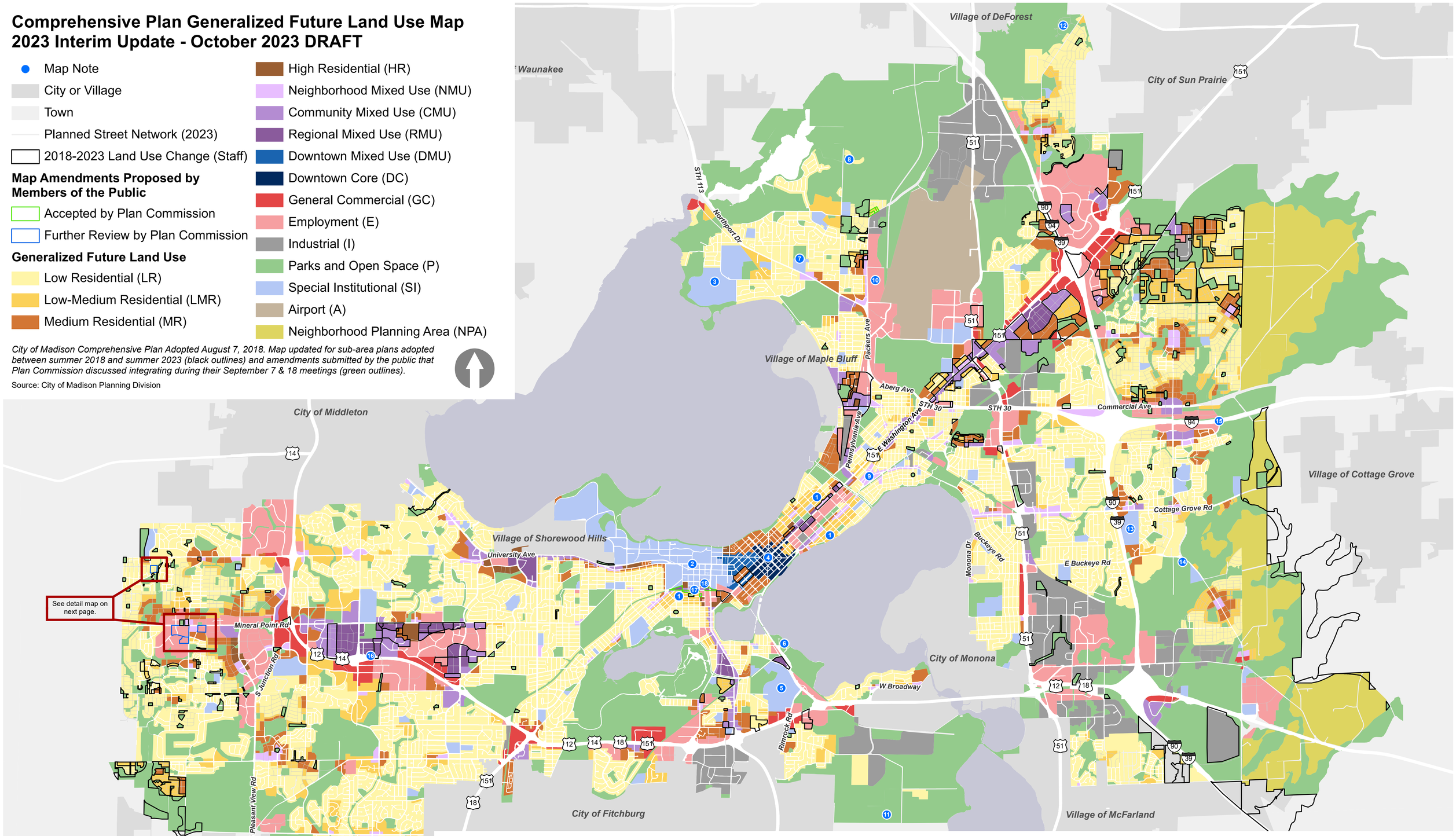
- Accepted by Plan Commission
- Further Review by Plan Commission

Generalized Future Land Use

- Low Residential (LR)
- Low-Medium Residential (LMR)
- Medium Residential (MR)
- High Residential (HR)
- Neighborhood Mixed Use (NMU)
- Community Mixed Use (CMU)
- Regional Mixed Use (RMU)
- Downtown Mixed Use (DMU)
- Downtown Core (DC)
- General Commercial (GC)
- Employment (E)
- Industrial (I)
- Parks and Open Space (P)
- Special Institutional (SI)
- Airport (A)
- Neighborhood Planning Area (NPA)

City of Madison Comprehensive Plan Adopted August 7, 2018. Map updated for sub-area plans adopted between summer 2018 and summer 2023 (black outlines) and amendments submitted by the public that Plan Commission discussed integrating during their September 7 & 18 meetings (green outlines).

Source: City of Madison Planning Division

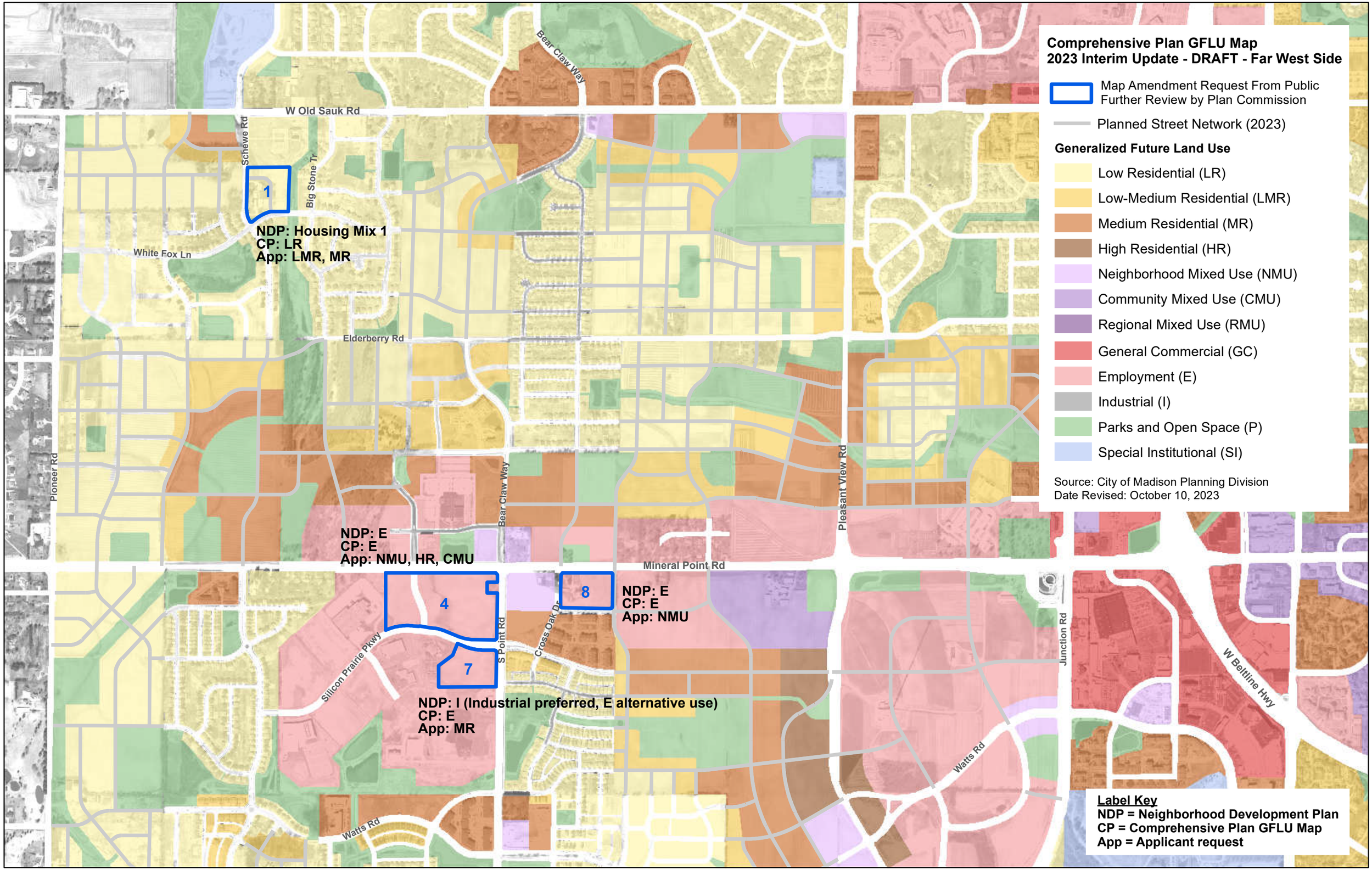


Draft Revised Map Notes

1. Any redevelopment within this LMR area should generally add to the City's Missing Middle housing stock while maintaining the current single-family/ two-flat/three-flat development rhythm.
2. The University of Wisconsin-Madison Campus Master Plan provides detailed land use and development recommendations for the UW-Madison. That document was approved by the City in 2017 as part of the requirements for the UW-Madison's Campus-Institutional Zoning. All UW-Madison development within the campus boundary must be consistent with the Campus Master Plan unless an exception or alteration is approved by the City, consistent with applicable regulations, procedures, and standards. The Comprehensive Plan's SI designation for the UW-Madison campus is primarily to address the UW's use of property. However, there are some privately owned properties within the SI-designated areas. If such privately owned parcels redevelop, their use and design should be consistent with adopted sub-area plans, the most relevant of which, as of the adoption of this Plan, is the Regent Street-South Campus Neighborhood Plan. In the rare case where private redevelopment is proposed for an area that is not covered by a sub-area plan, multifamily residential and mixed-use development shall be considered appropriate, so long as the scale, massing, and design of the building fits in with the surrounding context, as determined by the Plan Commission and City Council.
3. This property is currently the site of the State of Wisconsin Mendota Mental Health Institute. A detailed development plan for the property should be prepared and adopted by the City prior to any redevelopment to new uses. Land along Lake Mendota is recommended for public park and open space.
4. Refer to the Downtown Plan for the area bounded by the lakes, Blair Street, Regent/Proudfit Streets, and Park Street for viewshed preservation, mix of land uses, building design standards (including heights and stepbacks/setbacks), streetscape design, and other land use and design elements. Note that residential uses shown in this area should be considered "primarily residential," as defined in the Downtown Plan.
5. The Alliant Energy Center is shown as SI, but may include restaurant, entertainment, and hotel uses if a Master Plan for the area that includes those uses is adopted by the City. Such a Plan may include land use changes to surrounding properties, such as the Employment-designated properties to the north.
6. The existing residential uses may continue until an opportunity arises to convert this area to public park and open space. The existing uses should not be expanded and the land should not be redeveloped.
7. This former sanitarium site is presently owned by Dane County and used as an office building. Adaptive reuse of the existing buildings for employment, residential, or a mix of those uses is recommended if this site is redeveloped. The open area south of the buildings should remain undeveloped and any reuse of the site should be designed to preserve and enhance the views from the site to Lake Mendota and the Isthmus. The wooded portion of the site north of the buildings should be maintained as open space.
8. It is recommended that there be no additional development on the top portion of this hill. Future development may be allowed around the lower portions of this hill only if such development is done with sensitivity to the topography in a manner that preserves open space and views to the hill from surrounding properties and provides adequate vegetative buffers from the existing park property.
9. The City may consider buildings taller than four stories in this contiguous NMU area for large parking lots/ vacant areas.
10. It is not recommended that the mobile home park that currently occupies this area cease operations, but employment is the most appropriate future use of the property if the property owner does close the park.
11. Land in this area is part of the Town of Blooming Grove and will be attached to the City before November 1, 2027. This land should either continue in its current agricultural use or be incorporated into the adjacent Capital Springs State Recreation Area.
12. A portion of this area may have the potential for limited development as a conservation subdivision.
13. The majority of this site is undeveloped - a detailed plan for any change in the site's current use should be approved by the City prior to consideration of any rezoning request.
14. If restoring the high ground east of Underdahl Road to open space is not feasible this area should transition to residential development.
15. An Interstate interchange in this general location would help implement higher intensity employment and mixed use land uses planned for this area.
16. Property solely accessed from Grand Canyon Drive and/or West Platte Drive south of Odana Road should not be redeveloped with residential uses until redevelopment of properties accessed from Odana Road occurs in a manner that increases access and visibility.
17. Buildings may be considered up to two stories taller than the maximum height in the Regent Street-South Campus Neighborhood Plan for property designated as mixed-use along the north side of Regent Street, mixed-use along the south side of Regent Street between Randall Street and Mills Street, Employment at the southeast and southwest corners of the Regent Street and Park Street intersection, and Special Institutional along Monroe Street between Regent Street and Randall Avenue.
18. Buildings up to 10 stories tall may be considered in High Residential (HR) areas south of Spring Street that overlap the Regent Street-South Campus Neighborhood Plan and up to 12 stories tall in HR areas north of Spring Street that overlap the Regent Street-South Campus Neighborhood Plan.

Blue text = map notes drafted at the direction of the Plan Commission after its September 18, 2023 meeting.

Date: 10/25/2023


Comprehensive Plan GFLU Map
2023 Interim Update - DRAFT - Far West Side
Map Amendment Request From Public Further Review by Plan Commission
Planned Street Network (2023)
Generalized Future Land Use
Low Residential (LR)
Low-Medium Residential (LMR)
Medium Residential (MR)
High Residential (HR)
Neighborhood Mixed Use (NMU)
Community Mixed Use (CMU)
Regional Mixed Use (RMU)
General Commercial (GC)
Employment (E)
Industrial (I)
Parks and Open Space (P)
Special Institutional (SI)
Source: City of Madison Planning Division
Date Revised: October 10, 2023
W Old Sauk Rd
Bear Claw Way
Schewe Rd
Big Stone Tr
1
NDP: Housing Mix 1
CP: LR
App: LMR, MR
White Fox Ln
Elderberry Rd
Pioneer Rd
Bear Claw Way
Pleasant View Rd
NDP: E
CP: E
App: NMU, HR, CMU
Mineral Point Rd
4
8
NDP: E
CP: E
App: NMU
S Point Rd
Cross Oak Dr
Silicon Prairie Pkwy
7
NDP: I (Industrial preferred, E alternative use)
CP: E
App: MR
Junction Rd
W Beltline Hwy
Watts Rd
Watts Rd
Label Key
NDP = Neighborhood Development Plan
CP = Comprehensive Plan GFLU Map
App = Applicant request

Department of Planning & Community & Economic Development
Planning Division
Heather Stouder, Director
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November 13, 2023
To: Plan Commission
From: Kirstie Laatsch and Ben Zellers (Planning Division)
RE: 2023 Comprehensive Plan Interim Update

The City is undertaking an interim update to the 2018 Comprehensive Plan. Most updates are within the Growth Framework section of the Plan, including the Generalized Future Land Use (GFLU) Map, associated map notes, and land use category descriptions. This process is similar to an interim update that was completed in 2012.

After receiving initial direction from Plan Commission at their September 7 and September 18 meetings staff compiled a revised draft of the 2023 GFLU Map and a revised list of draft revisions to the Comprehensive Plan. Plan Commission's November 13, 2023 meeting will include a public hearing and formal recommendation to Common Council concerning the final draft Comprehensive Plan amendment.

The materials which have been revised since Plan Commission's review in September are highlighted in yellow in the compiled List of Proposed Revisions to the Comprehensive Plan.

The remaining topics for discussion include:

1. **Two new GFLU Map Notes added in response to Plan Commission direction.** At their September 18 meeting, Plan Commission directed staff to draft additional Map Notes to consider buildings that are taller than the maximum building heights recommended in the Regent Street - South Campus Neighborhood Plan.

2. **Revised language relating to redevelopment of institutional uses – changes to the land use category text for Special Institutional (SI) and Low Residential (LR).** These two changes are proposed as part of this interim update to the Comprehensive Plan to make it easier for sites with vacant/underutilized institutional uses (such as places of worship) to be fully or partially redeveloped with housing. Plan Commission's direction was for staff to make the SI category description more flexible to allow consideration of redevelopment denser than Low-Medium Residential (LMR) when a site is adjacent to Parks and Open Space. For reference, the table describing the building forms, density ranges, and number of stories for the residential categories is included on page 3 of this memo.

   Staff has prepared maps of non-governmental institutional uses mapped as SI and small institutional uses mapped as LR (see Institutional Uses on the GFLU Map attachment). The mapping analysis shows that approximately 80 institutional uses are currently mapped as LR, which is typical for many civic uses. Of those sites, 80% are less than 3 acres in size. Approximately 30 non-governmental institutional uses – usually on larger properties – are currently mapped as SI.

   Following this closer look at the relevant sites, staff raises the following tradeoffs/considerations for the Plan Commission to keep in mind when determining the language to open up possibilities for Medium Residential (MR) densities if (re)development is considered on these sites:
   a. *Potential loss of opportunity for future missing middle housing development*. If language is changed to broadly allow MR, it is unlikely that LMR (missing middle) redevelopment will be proposed. Staff

anticipates that instead of considering redevelopment with townhomes and/or small multifamily buildings, many developers and institutional partners may initially assume development intensities at the upper end of the MR range.

b. *Reduced predictability*. Adding broad possibilities for MR would make it less clear to all parties, including property owners, developers, residents, and other stakeholders, what scale of development is considered appropriate for a given site.
c. *Less transparency*. A shift from LR to MR intensities is a considerable change, and likely one best addressed through an Area Plan process[1]. While comfortable with the incremental increase from LR to LMR intensities citywide for these institutional sites, staff has some concern regarding a broader "boost" from LR to MR, particularly since the surrounding context can vary so much among the 110+ relevant sites.

The previously proposed (9/1/2023) language and revised (10/11/2023) language relating to redevelopment of institutional uses is below. Staff are most comfortable with the revised (10/11/2023) language, which provides more guidance regarding the factors the Plan Commission should consider to determine the instances where MR, rather than LMR intensities may be appropriate.

Draft text to include in the LR category description

- 10/11/2023 version: "Many small institutional uses, such as places of worship, are mapped as Low Residential (LR), consistent with their surroundings. If current institutions embedded in residential areas relocate, cease to exist, or remain as part of a redevelopment, such sites may be redeveloped with more intensive residential uses. Redevelopment with Low-Medium Residential (LMR) uses is appropriate. In limited circumstances, intensities and heights in the Medium Residential (MR) land use category could be appropriate for a portion of the site. Due to site-specific considerations, MR intensities may not be appropriate for all sites. Factors to be considered include relationships between proposed buildings and their surroundings, natural features, lot and block characteristics, and access to urban services, transit, arterial streets, parks, and amenities."

- 9/01/2023 version: "Many small institutional uses, such as places of worship, are mapped as LR. If current institutions that are embedded in residential areas cease to exist or would otherwise remain as part of a redevelopment, such sites may be redeveloped as Low-Medium Residential uses when surrounded by LR and/or Parks and Open Space (P) planned uses. Institutional sites along arterial streets or that are adjacent to areas mapped for other residential, commercial, employment, or mixed-use uses on the GFLU map could be considered for intensities and heights consistent with the Medium Residential (MR) land use category."

Draft text to include in the SI category description

- 10/11/2023 version: "Buildings that include places of worship, schools, and other institutions may be optimal for adaptive reuse or redevelopment with residential uses when the institutional use(s) relocate, cease to exist, or perhaps remain as part of a redevelopment. These sites are often embedded in residential areas, and are typically larger than most surrounding residential lots, making them good candidates for more intensive residential development. Redevelopment with Low-Medium Residential (LMR) uses is appropriate. In limited circumstances, intensities and heights in the Medium Residential (MR) land use category could be appropriate for a portion of

[1] Note that the City will review institutional uses mapped as SI and LR through the Area Plan processes – language in the Comprehensive Plan concerning redevelopment of non-governmental institutional uses in SI and LR areas is a stopgap. Future land uses will be recommended in Area Plans in the event that the institutional uses leave. Revising land use recommendations through the Area Plans will be the most clear and transparent approach to address this issue. For example, the West Area Plan team has reviewed all SI sites and institutional uses mapped as LR. The results of this review include recommending MR for many of the applicable LR sites located along arterial streets, which is an important aspect when determining whether MR could be considered appropriate. Staff is able to get in-depth feedback from residents and other stakeholders about potential land use changes through the area planning process.

the site. Due to site-specific considerations, MR intensities may not be appropriate for all sites. Factors to be considered include relationships between proposed buildings and their surroundings, natural features, lot and block characteristics, and access to urban services, transit, arterial streets, parks, and amenities."

- 09/01/2023 version: "Buildings that include places of worship, schools, and other institutions may be optimal for adaptive reuse or redevelopment with residential uses, either when the institutional use(s) vacate the site or perhaps remain as part of a new development. These sites are often embedded in residential areas, and are typically larger than most surrounding residential lots, making them good candidates for larger and/or more intensive residential development. Redevelopment sites entirely surrounded by parcels mapped as Low Residential (LR) and/or Parks and Open Space (P) on the Generalized Future Land Use Map (GFLU) may be considered to be recommended for Low Medium Residential (LMR). SI sites bordered by other residential, commercial/employment, or mixed-use areas on the GFLU map that are along arterial streets or streets with transit service every 30 minutes or less could be considered for intensities and heights consistent with the Medium Residential (MR) land use category when such sites have adequate access to residential-supporting features such as parks, schools, and a walkable street network."

3. **Revised language for the provision for increased intensity relating to LMR.** As staff worked on revising draft language in item 2 above, it was discussed that there is similar ambiguity for the LMR text under the Residential Future Land Use Categories table. See the highlighted text in the table below from page 20 of the Plan. Staff would like to provide more predictability for all stakeholders.

Residential Future Land Use Categories

Residential Building Form	Low Residential (LR)	Low-Medium Residential (LMR)	Medium Residential (MR)	High Residential (HR)
Single-Family Detached Building				
Civic/Institutional Building				
Two-Family, Two-Unit				
Two-Family – Twin				
Three-Unit Building	*			
Single-Family Attached	*			
Small Multifamily Building	*	**		
Large Multifamily Building		**		
Courtyard Multifamily Building		**		
Podium Building				
Number of Stories	1-2'	1-3	2-5	4-12~
General Density Range (DU/acre)	≤15	7-30	20-90	70+

** Permitted in select conditions at up to 30 DU/ac and three stories, generally along arterial streets or where these* types of buildings are already present or planned within an adopted sub-area plan as part of a pattern of mixed residential development.

*** Permitted in select conditions at up to 70 DU/ac and four stories, generally along arterial streets.*

~ Or taller, if specified by an approved sub-area plan or PD zoning.

' Dormers or partial third floors are permitted.

Staff recommends replacing the highlighted language above, with the red text below, which cites factors the City will use to determine instances where 70 DU/acre and four stores may be appropriate. The final sentence is the same language proposed regarding redevelopment of institutional sites (10/11/2023 version).

** Appropriate ~~Permitted~~ in select conditions at up to 70 DU/ac and four stories, ~~generally along arterial streets.~~ except for parts of the city with an Area Plan adopted after the 2023 Comprehensive Plan Interim Update. Factors to be considered include relationships between proposed buildings and their surroundings, natural features, lot and block characteristics, and access to urban services, transit, arterial streets, parks, and amenities.

Along with revising the text, the City will review LMR sites through the Area Plan processes and select either LMR or MR for each site. As a result, the provision for increased intensity for LMR will no longer apply to areas with an Area Plan adopted after the 2023 Comprehensive Plan Interim Update.

4. GFLU Map amendments **proposed by the public that Plan Commission set aside for further discussion at the November 13 public hearing (Applications 1, 4, 7, and 8).** The sites are shown on a Far West Side detail map and described below:

    a. **Application 1**: Located at 3978 Schewe Road, just south of Old Sauk Road. **Staff recommends no change to GFLU Map, or at most, a change from LR to LMR:**
        i. Site is recommended for LR on the GFLU Map which reflects the Housing Mix 1 recommendation in the Elderberry Neighborhood Development Plan (NDP). Housing Mix 1 recommends single-family, two-units, four-units, and townhouses. The applicant requested a change from LR to LMR and MR.
        ii. The City was aware of the factors cited in the application when the Elderberry NDP was drafted, including the Middleton Cross Plains Elementary and Middle schools and the Eagle Trace subdivision.
        iii. Staff does not recommend changing this site to MR when the Elderberry NDP was updated five years ago. If Plan Commission would like to make a change for this site, LMR would be more appropriate, given the location near Madison's edge.

    b. Applications 4, 7, 8: Located near Mineral Point Road at South Point Road.
        i. **Application 4 – Staff recommends no change to GFLU Map**:
            1. Site is recommended for Employment (E) on the GFLU Map, which reflects the Employment recommendation in the Pioneer NDP. The applicant requested a change to Neighborhood Mixed-Use (NMU), High Residential (HR), and Community Mixed-Use (CMU).
            2. The City has an interest in maintaining well-located land for future employment development. Strategy 2 in the Comprehensive Plan's Economy and Opportunity element is "Ensure an adequate supply of sites for a wide variety of employers to operate and grow." Action 2a is "Reserve sites for employment uses in City land use plans."
            3. This site is within the Silicon Prairie business park. Its location at the intersection of South Point Road and Mineral Point Road with convenient access to the Beltline makes it a priority location to reserve for employment use.
            4. Staff's opinion is that conditions have not sufficiently changed to warrant this amendment when the Pioneer NDP was updated five years ago.

        ii. **Application 7 – Staff Recommends no change to GFLU Map**:
            1. Site is recommended for Employment (E) on the GFLU Map and is shown for Industrial (I) with E as an alternative use in the Pioneer NDP. The applicant requested a change to MR.
            2. When the applicant requested MR for this site during the 2018 Pioneer NDP update, the Plan Commission disagreed and instead stipulated an Employment overlay district for this area, stating if industrial development was not feasible, the site should develop as Employment.
            3. See point 2 under application 4 above.

4. City is developing adjoining land to the south into a public works campus, which is not compatible with MR.
5. Staff's opinion is that conditions have not sufficiently changed to warrant this amendment when the Pioneer NDP was updated five years ago and that allowing MR on the site would likely generate conflicts with the City's developing public works campus.

iii. **Application 8 – Staff recommends no change to GFLU Map or potentially a change from E to MR**:

1. Site is recommended for Employment (E) on the GFLU Map and E in the Pioneer NDP. The applicant requested a change to NMU.
2. See point 2 under application 4 above.
3. In 2013 the City adopted an NDP amendment for the area south of application 8. This amendment changed the recommendation from employment to multi-family residential, which was later built. The 2018 Pioneer NDP then further shrunk the recommended employment area.
4. Staff's opinion is that conditions have not sufficiently changed to warrant this amendment when the Pioneer NDP was updated five years ago. If Plan Commission would like to make a change for this site, MR could potentially be more appropriate than NMU.

Attachments/materials

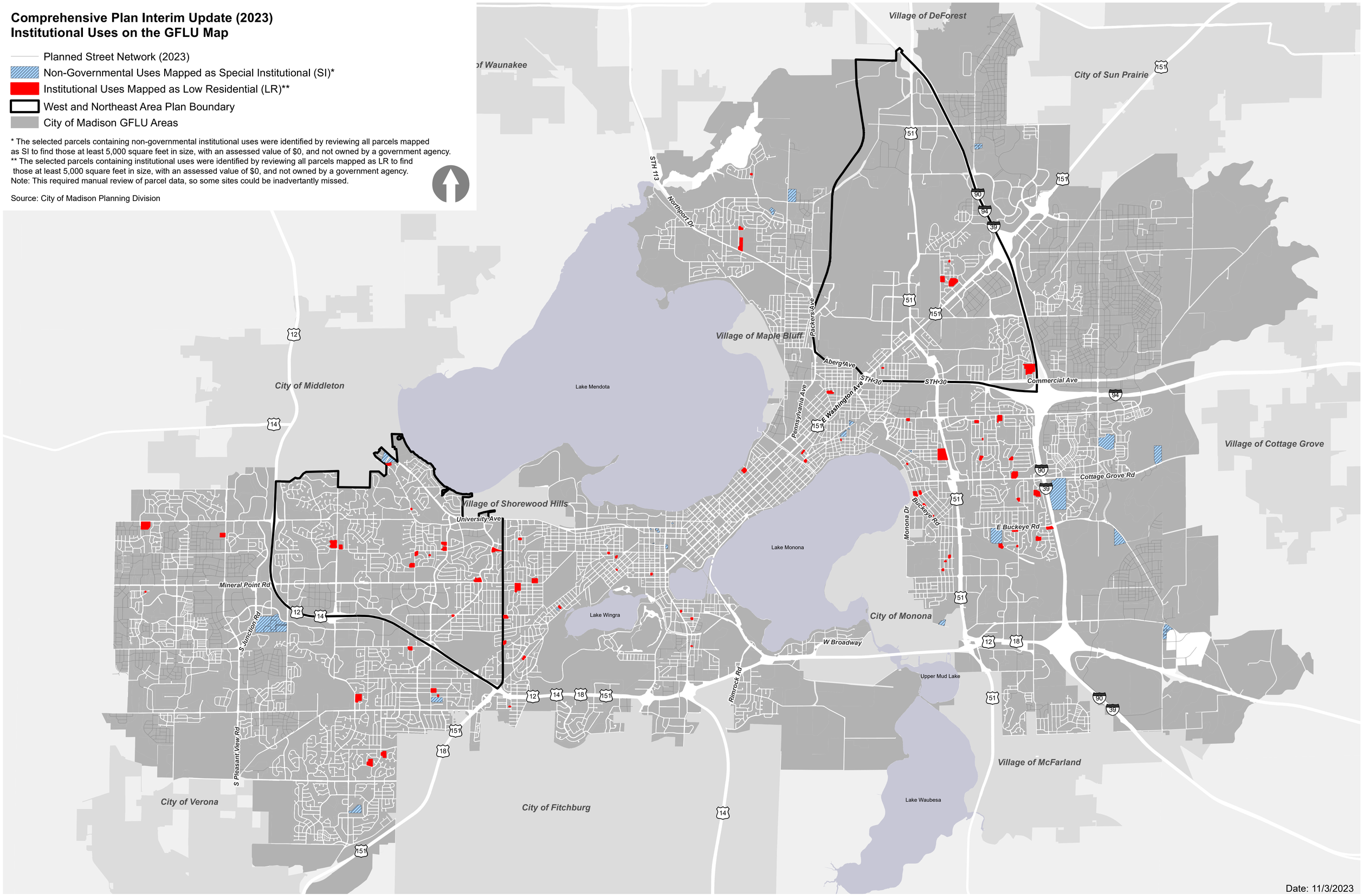
- List of Proposed Revisions to the Comprehensive Plan
- 2023 Draft GFLU Map, detailed map of far west side sites
- Interactive 2023 Draft GFLU Map
- Link to interactive, detailed-markup of Comprehensive Plan
- Institutional Uses on the GFLU Map

Comprehensive Plan Interim Update (2023)
Institutional Uses on the GFLU Map

- Planned Street Network (2023)
- Non-Governmental Uses Mapped as Special Institutional (SI)*
- Institutional Uses Mapped as Low Residential (LR)**
- West and Northeast Area Plan Boundary
- City of Madison GFLU Areas

* The selected parcels containing non-governmental institutional uses were identified by reviewing all parcels mapped as SI to find those at least 5,000 square feet in size, with an assessed value of $0, and not owned by a government agency.
** The selected parcels containing institutional uses were identified by reviewing all parcels mapped as LR to find those at least 5,000 square feet in size, with an assessed value of $0, and not owned by a government agency.
Note: This required manual review of parcel data, so some sites could be inadvertantly missed.

Source: City of Madison Planning Division



Comprehensive Plan Interim Update (2023)
Institutional Uses on the GFLU Map

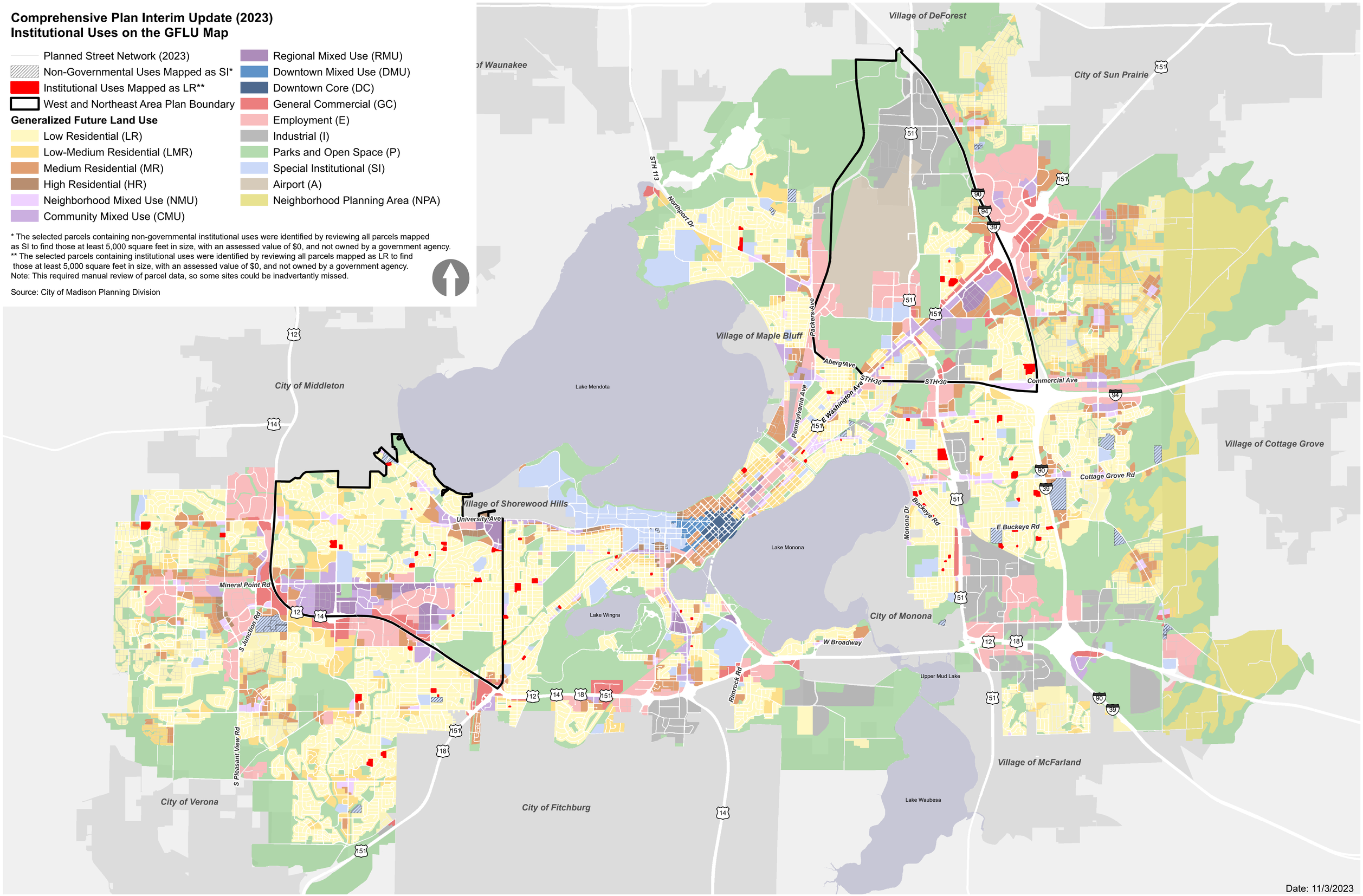
- Planned Street Network (2023)
- Non-Governmental Uses Mapped as SI*
- Institutional Uses Mapped as LR**
- West and Northeast Area Plan Boundary

Generalized Future Land Use

- Low Residential (LR)
- Low-Medium Residential (LMR)
- Medium Residential (MR)
- High Residential (HR)
- Neighborhood Mixed Use (NMU)
- Community Mixed Use (CMU)
- Regional Mixed Use (RMU)
- Downtown Mixed Use (DMU)
- Downtown Core (DC)
- General Commercial (GC)
- Employment (E)
- Industrial (I)
- Parks and Open Space (P)
- Special Institutional (SI)
- Airport (A)
- Neighborhood Planning Area (NPA)

* The selected parcels containing non-governmental institutional uses were identified by reviewing all parcels mapped as SI to find those at least 5,000 square feet in size, with an assessed value of $0, and not owned by a government agency.
** The selected parcels containing institutional uses were identified by reviewing all parcels mapped as LR to find those at least 5,000 square feet in size, with an assessed value of $0, and not owned by a government agency.
Note: This required manual review of parcel data, so some sites could be inadvertantly missed.

Source: City of Madison Planning Division



Date: 11/3/2023

From: Linda
To: sundevils98@yahoo.com; rasoldner@madison.k12.wi.us; Field, Derek; Duncan, John; klanespencer@gmail.com; "Ledell Zellers"; mcsheppard@madisoncollege.edu; nicole.solheim@gmail.com; pwheck@gmail.com; Figueroa Cole, Yannette
Cc: Plan Commission Comments; Rummel, Marsha
Subject: Agenda #26, Legistar 80281
Date: Monday, November 13, 2023 3:33:49 PM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

GFLU map note #4

Originally it was the word "character" in note #4 that was said to potentially create a feeling of exclusion, then the exclusion argument was applied to "house-like." "House-like" should be retained.

- House-like merely provides a style of building form, a building form which would fit with the existing forms in the neighborhood. "House-like" defines what the Comp Plan says 18 times – that development should be well-integrated into the character of the surrounding neighborhood.
- Even the FAQ document for this interim update talks of context-sensitive design: "Most people interact with the urban environment based on what buildings look like and how large they are. … A three-story building in a certain neighborhood could be appropriate because it fits within the context and fabric of the neighborhood regardless if it is 10 dwelling units per acre or 30 dwelling units per acre. The height and form of the development better dictates how it will interact with its surroundings."
- It is possible to have large residential buildings with house-like design, such as peaked roofs and porches. The design of newer buildings in the former agricultural land often have house-like features.
- "Missing Middle" adds nothing to note #4 since the existing land use category and existing zoning categories essentially dictate missing middle housing.

Changing the south 800 and 900 blocks of East Washington from Employment to Regional Mixed-Use

- Both blocks are designated in the sub-area plan (Capitol Gateway Corridor Plan) as "employment/residential" as the result of 2020 and 2021 amendments, RES-20-00739 and RES-21-00529. These resolutions recognized (1) that both blocks already had, through recent development proposals, a strong commitment to employment uses, and (2) that "Employment/Residential" means primarily employment uses, with residential uses as a secondary allowable use.
- Changing to Regional Mixed-Use would create a conflict with the Capitol Gateway Corridor Plan – employment does not need to be the primary use under Regional Mixed-Use. Further, Regional Mixed-Use promotes commercial activity while the Gateway Plan does not support commercial activity. (The Gateway Plan distinguishes employment, and states that employment districts "generally do not include retail and consumer service uses serving the wider community.")
- The Comp Plan says there should be consistency between the Comp Plan and sub-area plans, and, if there is an inconsistency, one of the plans should be amended. Instead of resolving an inconsistency, this amendment would create an inconsistency. (Staff declined to support two proposed amendments because of inconsistency with the sub-area plan.)

Please reject the change to Regional Mixed-Use for the 800 and 900 blocks. A possible substitute for note #4 is: "The limited redevelopment within this LMR area should be designed to respond to existing development with features such as front porches and peaked roofs."

Respectfully Submitted,
Linda Lehnertz

From: Jessica Wartenweiler
To: Plan Commission Comments; council
Subject: Do not down zone development along arterial roads
Date: Monday, November 13, 2023 3:01:27 PM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Greetings,
I'm writing to express my opposition to the Future Land Use map amendment targeting density reduction of low-medium residential along arterial roads. As the mayor was quoted at a recent forum, the housing crisis is the biggest issue facing our region currently. The proposed limitation on building much needed housing units only exacerbates this issue and drives up the cost of housing.
Jessica Wartenweiler

From: Eric Welch
To: Plan Commission Comments
Subject: Items 26 and 27 on the agenda, which involve amendments to the City Comprehensive Plan
Date: Monday, November 13, 2023 3:00:52 PM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

I oppose the amendment as it will decrease the amount of housing available for residents and worsen the housing crisis.

Thanks,
Eric

--
Eric Welch Painting
608-770-4020
ericwelchpainting.com

From: the-greens31@charter.net
To: Plan Commission Comments
Cc: Slack, Kristen
Subject: Comment for Plan Commission 11-13-23 Meeting
Date: Monday, November 13, 2023 2:57:27 PM

Members of the Plan Commission:

It has come to our attention that there is an issue that could come up during the Plan Commission meeting tonight. We want to express our serious objections to the Commission acting on this. It involves an LMR escalator clause. We respectfully request that the Commission avoid any action regarding that LMR escalator clause until there has been an opportunity for meaningful citizen input. Please table any proposed LMR escalator language modifications at your meeting tonight.

This clause can have serious ramifications for the appropriate development of property in an area. It is not an issue that should be taken lightly. In particular, we are concerned about the negative impact it would have on the West Side Plan. It causes the potential loss of housing options that would positively impact the housing needs of Madison residents while respecting the integrity of existing neighborhoods.

Please do not take action at your meeting tonight on any proposed LMR escalator language modifications. Any action in this regard deserves serious consideration and time for meaningful citizen input. Our City and it's residents deserve this from our policymakers. Thank you for your attention to this critical issue!

Mike and Lynn Green
District 19 residents

From: Kathy Western
To: Plan Commission Comments
Cc: Slack, Kristen
Subject: Plan Commission, Comments
Date: Monday, November 13, 2023 2:02:16 PM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Plan Commission Members,

As you focus on addressing an issue realize the possibilities of detrimental consequences that could be far reaching. Thoughtful, wise guiding of Madison into the future while retaining the characteristics that maintain a Quality of Life worth living, for all ages and abilities is imperative. A quick feel-good fix isn't necessarily the right solution for longterm livability of an area.

No one has ever suggested the health benefits of spending time in or living near densely populated, high-rises blocking the sun and sky, atop expanses of concrete near heavy traffic…no one. With our serious mental health crisis and a serious shortage of mental health professionals, we have far too many people suffering with anxiety, depression and other mental health conditions that can cause anger, aggressive behaviors and increased crime. Our suicide rate is tragic. As they try to calm their insides with prescription meds, and self-medicating with alcohol and other drugs; the stress and chaos in their environment only add to their challenges. Children are not immune; we are raising a community of anxious and depressed children, replicating what we are seeing nationwide. According to Mayo Clinic there are Drs. writing "park prescriptions"; the Japanese promote shinrin-yoku, " bathing in the forest atmosphere" to boost health and lower stress. According to the National Park Services, it has been shown that being in nature reduces stress, anger, anxiety and depression, while promoting a sense of well-being and fulfillment.

Children in densely populated high-rises next to high traffic areas with concrete parking lots and massive underground parking with many moving vehicles bring a constant danger to their wellbeing. They have no control over their environment. Where will they play…ride their bikes…breathe?

Please take the time to plan carefully, quality of life is not to be taken lightly.

Sincerely,
Kathy Western
25 St. Andrews Circle
Madison, WI

Sent from my iPad

"Above all, the city and its committees should respect the wishes of neighborhoods in the planning process and not simply roll over them like an armored vehicle. Begin and end with neighborhoods, not committees. online participant." Comprehensive Plan p. 50

My name is Diane Sorensen. I appreciate this opportunity to share my views with the Plan Commission. Numerous people have told that the scenario described by the anonymous online participant has come true: in its haste to build more and more housing, the City and its Committees are simply rolling over neighborhoods like an armored vehicle. I am, nevertheless, here to speak. I hope to prove them all wrong.

I live in Parkwood Hills, near Old Sauk Road, where there are two parcels that can be developed. Though these parcels are currently zoned SR-C1 and SR-C3, or Low Residential Use, as is surrounding property, I've always expected them to be developed to a higher density.. When I saw that the City's future land use plan put this land in the LMR category this made sense. LMR development would allow the construction of housing that would fill a longstanding housing need referred to as the Missing Middle gap. What I didn't see coming was the use of the "escalator" the allows the construction of massive 4 story apartment complexes..

As shocking as this is, City planners have made it clear that this is exactly what the City plans to allow and we should expect the properties to be re-zoned accordingly.

I think this is a wrong strategy and a wrong result. As I stated earlier, I support development of this property. It is the perfect place for building housing units that fit the "Missing Middle" gap. As noted in the recent WSJ coverage of the Bayview's new townhouses, Missing Middle housing gives individuals and families, young and old, a precious and unique opportunity to put down roots, nest securely and join in the neighborhood experience.

As the planning memo before the Commission today makes clear, there is an inverse relationship between Medium residential density and Missing Middle development.

" …, staff raises the following tradeoffs/considerations for the Plan Commission to keep in mind when determining the language to open up possibilities for Medium Residential (MR) densities if (re)development is considered on these sites:

a. Potential loss of opportunity for future missing middle housing development. If language is changed to broadly allow MR, it is unlikely that LMR (missing middle) redevelopment will be proposed. Staff anticipates that instead of considering redevelopment with townhomes and/or small multifamily buildings, many developers and institutional partners may initially assume development intensities at the upper end of the MR range."

Statement to the Plan Commission

The Commission should think long and hard before it gives up an opportunity to foster Missing Middle housing. If the City is serious about filling the Missing Middle gap, it will foster such development by designating appropriate parcels LR and LMR.

I am asking the Plan Commission to slow down enough to consider using this opportunity to support Missing Middle housing. I am also asking the Commission to give me and my neighbors an opportunity to participate meaningfully on this issue.

I request the following Commission Action.

1. Defer all action involving the LMR escalator until the West Side Plan is presented in January.
2. Direct that West Side planning staff hold meetings seeking resident and stakeholder input on the plan, with particular attention to parcels considered for LMR and the escalator or MR.
3. Alternatively, defer any action on the language defining “select conditions” until residents and stakeholders have a meaningful opportunity for input.

Thank you,

Diane Sorensen

From: Matthew Aro
To: Plan Commission Comments
Subject: GFLU map amendment comment (#42 1100 Regent block south)
Date: Monday, November 13, 2023 10:54:06 AM
Attachments: 1100 Regent South CMU info.pdf

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Plan Commission members,

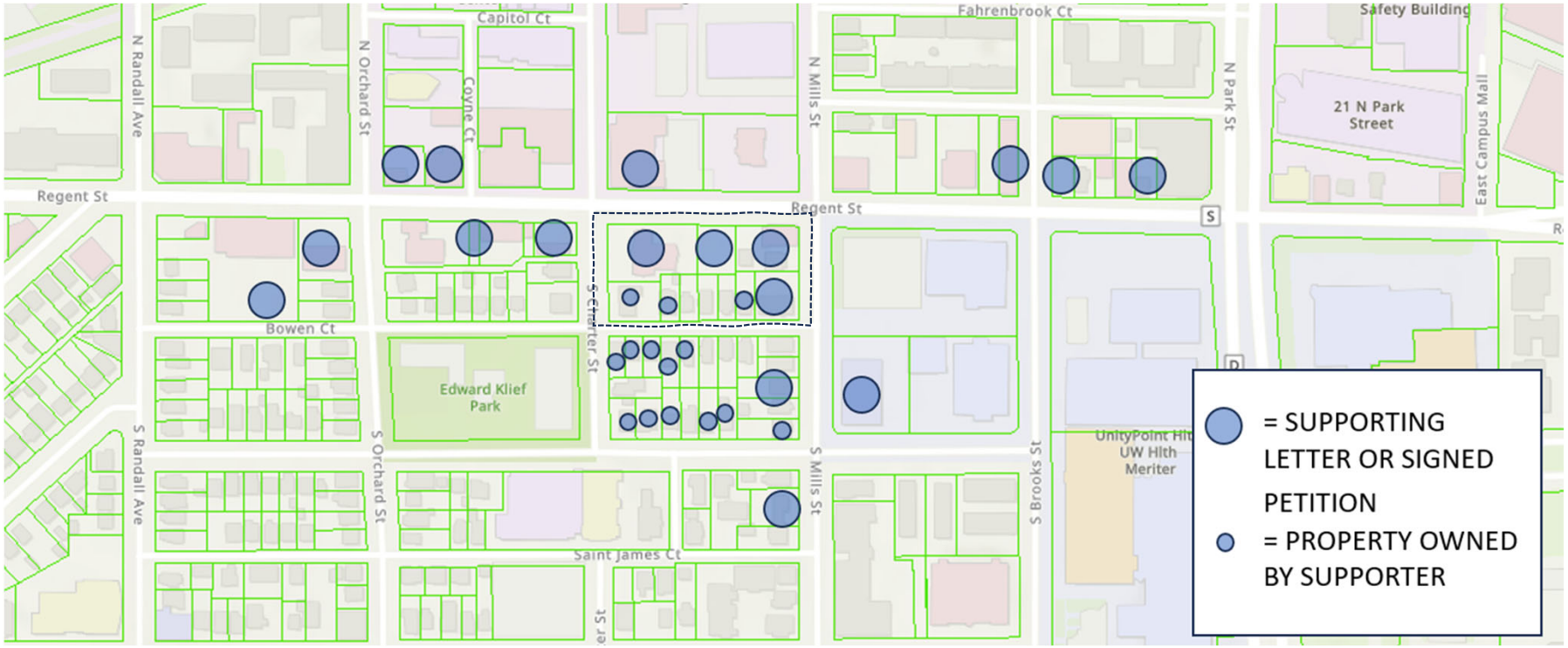
We believe an application we submitted to amend the GFLU map of the Comp Plan on behalf of the owners on the 1100 block of Regent (south) has not been fully considered by the Plan Commission to this date. This application was not part of the DMI application, although we support their efforts to increase housing in the area. The request is to convert the entire 1100 block south to Community Mixed Use. Thus far, the 1100 block was lumped in with other south Regent blocks and as we understand it, only the north half has been green-lighted for CMU. We ask that this item be reconsidered at the meeting tonight, and that the PC extend the CMU map change to the entire 1100 block.

The owners on the block in question support this change, and due to higher density allowed directly to the east, along with approval of the Neighborhood House site going to CMU to support up to 6 stories, we believe it has been overlooked that the 1100 block should be fully CMU to help guide future land use decisions. Additionally, the owners of 2-8 S Mills (Hong Kong Café) have sought out support from the neighborhood, area businesses, and city residents for this change. Attached you will find supporting letters and information they have collected.

If you were inclined, we ask that you reopen this item and fully consider making the entire 1100 Regent south block CMU. This will support additional flexibility for housing and other uses, while preserving options for what would be an eventual rezoning of this land. Thank you for your consideration of this amendment.

Best regards,

Matt Aro
ARCHITECT / PRINCIPAL
608 204-7464 Office
608 220-2382 Mobile
ARO EBERLE ARCHITECTS
433 W. Washington Ave, Suite 400, Madison, WI 53703
www.aroeberle.com

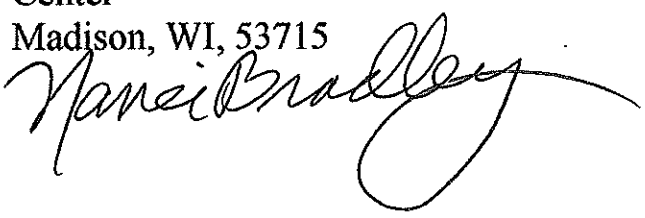


SUPPORTERS OF CHANGING ENTIRE 1100 SOUTH BLOCK TO “CMU”

October 31, 2023

To Whom it May Concern at the City of Madison,
I have owned the home at 108 South Mills Street since 1990. I believe I am the closest homeowner to the Hong Kong Café. They opened in 1991 and have been a strong asset to the community, supporting the neighborhood and Neighborhood House for many years.
The zoning issue is odd to me. The Hong Kong Café should be allowed the same height and density as Daivs Duehr or McDonalds. Terry and the Leung family have been outstanding neighbors. They work with the rental homes around them to make sure they address any concerns before the become problems and have the support of those neighbors. The management of the restaurant and activities on football Saturdays is exemplary. It makes no sense that the density and/or height allowed is different than neighboring locations on the busy throughfare of Regent Street. It is not equitable that it would be different. Certainly times have changed since the original Regent Street plan was developed. I hope you will support changes that reflect housing realities and equity in your decision making.
Sincerely,

Nanci Bradley
108 S. Mills Street—Nanci Bradley Early Childhood Education Center
Madison, WI, 53715



July 27, 2023

RE: Hong Kong Café, Rezoning at Higher Density than previous Neighborhood Plan

To Whom it may concern,

As a past participant in the Regent Street Master Plan and as a (long ago) former Common Council member, I am in support of higher density than the old plan recommended in approximately 2006. I support 6-8 stories at both the Neighborhood House and HK Café site. I do think affordability and net zero emissions could be threaded into quality projects at these sites and that it is equitable to allow similar densities as the Davis Duehr/Dean, MacDonalds and other neighborhood sites. There have been drastically changing dynamics that inform our current situation. What has not changed is the commitment to a strong neighborhood that both the small business of the Hong Kong Café and Neighborhood House has always shown in their work and collaboration to address neighborhood problems and concerns. What is also unique is the relative lack of homeowners in proximity to these facilities.

Although I am very familiar with nearest neighborhood homeowner and know her support for both of these neighborhood institutions.

I do think additional density comes with additional responsibilities. Those trade offs are in responsive property management and maintenance with a plan to address problems as they are arising, affordability in at least some of the additional allowed square footage, and an environment design for an increasingly ravaged planet.

I hope you will makes changes and recommendations with these elements in mind.

Sincerely,

Andy Heidt
608-622-5585;

CC: Terry Leung, Hong Kong Café
Tag Evers, District 13 Common Council (can you please share this with Madison's oldest community center?)

Neighborhood House Community Center
29 S. Mills St. · Madison WI 53715
neighborhoodhousemadison.org
Madison's first and oldest community center
Est. 1893

Laura Gundlach, Executive Director
Neighborhood House Community Center
29 S. Mills St.
Madison WI 53175

July 27, 2023

I am writing to express the wholehearted support of Neighborhood House Community Center for the zoning change of 2 S. Mills Street from its existing designation of Neighborhood Mixed Use to Community Mixed Use.

The owners of the property and proprietors of Hong Kong Cafe have been enduring friends and partners of Neighborhood House, which is located just half a block away from the restaurant. Phil, Terry, and their siblings are valued members of our community and they have consistently demonstrated a strong commitment to fostering positive relationships and contributing to the growth and well-being of our neighborhood.

Their collaboration and partnership have been integral to the well-being of our center. Hong Kong Cafe has donated to fundraisers, events, and youth programs; performs regular landscaping at the center; and provided food for our food pantry. Additionally, Phil has assisted us with all of our maintenance needs since the sudden death of our longtime facilities engineer over a year ago. I cannot say enough good things about the support they have provided at no cost for our center.

In addition to their support of Neighborhood House, they are long standing champions of other local businesses on Regent Street and neighborhood residents.

We support the change to Community Mixed Use zoning and whatever future projects may come out of it. The change to higher height restrictions will allow for the potential of developing more much-needed housing in our neighborhood.

In conclusion, I wholeheartedly endorse Hong Kong Cafe's application for a zoning change. Their establishment has proven time and again to be a vital and caring presence in our community, and I am confident that with this change, they will continue to create a positive impact for years to come.

Sincerely,

Laura Gundlach
Executive Director, Neighborhood House Community Center

Neighborhood House Community Center
29 S. Mills St. | Madison WI. 53715
neighborhoodhousemadison.org
Madison's first and oldest community center
Est. 1916

Laura Gundlach, Executive Director
Neighborhood House Community Center
29 S. Mills St.
Madison WI 53175

October 5, 2023

My name is Laura Gundlach and I am the executive director at Neighborhood House Community Center, located at 29 S. Mills St. I am writing to express the wholehearted support for increased height in any future development at 2 S. Mills Street (Hong Kong Café).

I have been made aware that the portion of any future redevelopment could be eight stories facing Regent Street, but that the portion facing Bowen Court would be of a lower height. Madison is in dire need of more housing, especially close to campus/downtown. A change to higher height restrictions of eight stories for the whole building will allow for the potential of developing more much-needed housing in our neighborhood.

Neighborhood House is currently working with The Alexander Company to redevelop our site into a 6-story building. Other potential redevelopments in the Regent Street area plan to build even higher. Allowing higher development at Hong Kong Café will align with other developments in the area and be consistent with surrounding buildings.

The owners of the property and proprietors of Hong Kong Cafe have been enduring friends and partners of Neighborhood House, which is located just half a block away from the restaurant. Phil, Terry, and their siblings are valued members of our community and they have consistently demonstrated a strong commitment to fostering positive relationships and contributing to the growth and well-being of our neighborhood.

Their collaboration and partnership have been integral to the well-being of our center. Hong Kong Cafe has donated to fundraisers, events, and youth programs; performs regular landscaping at the center; and provided food for our food pantry. Additionally, Phil has assisted us with all of our maintenance needs since the sudden death of our longtime facilities engineer over a year ago. I cannot say enough good things about the support they have provided at no cost for our center.

In addition to their support of Neighborhood House, they are long standing champions of other local businesses on Regent Street and neighborhood residents.

In conclusion, I enthusiastically endorse an increase in height for the portion of the redevelopment facing Bowen Court. Their establishment has proven time and again to be a vital and caring presence in our community, and I am confident that with this change, they will continue to create a positive impact and access to more housing in Madison for years to come.

Sincerely,

Laura Gundlach
Executive Director, Neighborhood House Community Center

TALLARD APARTMENTS LLC

July 24, 2023

To whom it may concern:

Re: Regent Street Neighborhood Master Plan, Building Height

Jeff Tallard, Ed Tallard, & I, the owners of Tallard Apartments LLC, are in support of the potential to raise the maximum number of building stories in the area surrounded by Regent Street – South Mills Street – Milton Street – South Charter Street to six stories from the current plan of three/four stories. We support changing the district from NMU to CMU designation. We are owners of several properties inside that border. Currently, we have no plan to potentially develop. But, by raising the building height to six stories may entice someone to do so. A project would be more economically viable with more stories.

Any new construction in this area would be a positive for this section of the Regent Street corridor. It would create economic development as well as enhance curb appeal from the older homes and commercial properties. It is a vibrant area of Madison, but is kind of an eyesore with no real continuity between properties.

Sincerely,



Peter Lemberger
Co-Owner/Broker
Tallard Apartments LLC

1445 Regent Street, Madison, WI 53711
Phone (608) 250-0202 Fax (608) 256-5906
www.tallardapartments.com

TALLARD APARTMENTS LLC

October 10, 2023

To whom it may concern,

Re: Regent Neighborhood Master Plan, Building Height

Jeff Tallard, Ed Tallard and I are the owners of Tallard Apartments LLC. We own and manage the following properties in the Regent – Charter – Bowen – Milton - S. Mills blocks:

1117 Bowen Court

1119 Bowen Court

1125 Bowen Court

1128 Bowen Court

1129/31 Bowen Court

15 S. Charter Street

36 S. Mills Street

1114 Milton Street

1120 Milton Street

1124 Milton Street

1128 Milton Street

1132 Milton Street

We are support of converting these entire blocks to a CMU designation.

Sincerely,



Peter Lemberger
Co-Owner/Broker
Tallard Apartments LLC

1445 Regent Street, Madison, WI 53711
Phone (608) 250-0202 Fax (608) 256-5906
www.tallardapartments.com

Current height restrictions on Regent Street

From: Jim Stopple (jim@madisonproperty.com)

To: terryleung1668@yahoo.com

Date: Tuesday, July 11, 2023 at 11:17 AM CDT

Terry, thank you for visiting with me today about your goals and aspirations for your property at the corner of South Mills and Regent Street and the entire Regent Street community. Development is going on throughout Madison. We are seeing developments heights as high as 14 stories, yet Regent Street is confined to four- to six-story buildings.

The Hong Kong Café block is ideal for development. It sits just a few blocks from Meriter Hospital and the University of Wisconsin. As a Regent Street owner, I would encourage the City of Madison Zoning Department to re-evaluate the Regent Street Neighborhood Master Plan and increase height to 8 to 12 stories.

Please let me know if there's anything I can do to assist.

Thank you.

James Stopple, CPM
Madison Property Management, Inc.
1202 Regent St.
Madison, WI 53715
Desk 608-268-4912
Cell 608-516-8272
Office 608-251-8777
jim@madisonproperty.com
www.madisonproperty.com

July 25, 2023

To whom it may concern,

Greetings,

Trinity United Methodist Church supports the Hong Kong Cafe's request to change the designation for the 1100 block of Regent Street to "Community Mixed Use".

Thank you for your consideration.

David Jahr
Treasurer
Trinity United Methodist Church
1123 Vilas Ave.
Madison, WI. 53715

August 15th 2023

To whom it may concern,

I Roger Charly owner of Budget Bicycle Center stores 930, 1124, 1230 Regent. I also own several other properties on Regent Street; 912, 1002, 1201, and 1234 Regent St. I support Hong Kong Café in pursuing a change for the south side of 1100 block of Regent St to "Community Mixed Use". I also support changing building height to 6 stories. I was on the committee that addressed these changes.

Kind Regards,

Roger Lee Charly

Roger Lee Charly

1230 Regent Street Madison, WI 53715

608.347.7911

Subject: Support for Hong Kong Cafe's Future Land Use Map Amendment Request

Dear City Planning Department

I am writing to express my enthusiastic support for Hong Kong Cafe's request to amend the Future Land Use map of the Comprehensive Plan. Specifically, I am in favor of their proposal for a zoning change from the current designation as Neighborhood Mixed Use to Community Mixed Use at 2 South Mills. As a Greenbush resident, Board Chair of Neighborhood House and a fellow small business owner who values positive local development I am eager to voice my endorsement for this initiative.

Hong Kong Cafe has a great track record in the neighborhood, supporting fellow businesses, donating their time and efforts to helping out at Neighborhood House and running safe, and well regarded operations at their restaurant.

I urge the City Planning Department to consider their request favorably, recognizing the positive impact they have on our neighborhood.

Thank you for your time and consideration.
Sincerely,

Samuel Brown
Owner, Leopold's Books Bar Caffe

Re: Opinion question on neighborhood assoc. business memberships

From: John Perkins (perkinsj71@gmail.com)

To: terryleung1668@yahoo.com

Date: Monday, July 24, 2023 at 09:51 PM CDT

We had some discussion about this with Tag last week that led to a discussion with city staff. There were two of us on the call from Greenbush, one from Vilas plus Tag and 2 from the city planning department.

I admit I took some issue to Tag saying he was going to push for the change from NMU to CMU in the long-range land use plan. After some spirited discussion, the idea was floated to city staff to change the definition of NMU to be 2-5 stories rather than the 2-4. This would coincide with the 4 stories plus one bonus that's allowed under the current TSS (and, I believe, NMX) zoning district. City planning felt this was too big of a change to take on during this 5-year update.

I'll follow up with Tag's plan for alterations in this area. I don't like the idea of someone trying to change the zoning from TSS to CC or something else that allows for even further height. Neighbors didn't seem to have an issue with 5 stories on the Jensen site, so I suspect 5 stories wouldn't have much resistance on yours. We may be able to get changes added with a footnote on height.

Do you have an idea whether a redevelopment on your block would work at 5 stories? Or is someone going to say they can't make it cash-flow unless it is at least 6? That could change neighbors' attitude on the land-use change.

The devil is definitely in the details for such projects. If you don't have a good feel for the height requirement, please let me know.

John

To whom it may concern,

I Tina. Choles owner of Choles floral company located at 1135 Regent St.

I want to take this opportunity to show our support to Hong Kong Café in pursuing a change for our block to " Community Mixed Use "

Choles Floral Company

1135 Regent St Madison WI 53715

608-256-7727

Tina. Choles

AKES PROPERTIES

31 S. Mills St.
Madison, WI 53715
(608) 308-2510 phone
(608) 204-0806 fax

July 25, 2023

Plan Commission
City of Madison
C/O City of Madison Dept of Planning & Community & Economic Development
215 Martin Luther King Jr. Blvd
Madison, WI 53713

Dear Plan Commission Members,

As owner of 1111 Regent St, we support the amendment requesting:

1. The block bounded by Regent, Mills, Charter and Bowen Court:
   a. Neighborhood Mixed Use (NMU) portion amended to Community Mixed Use (CMU)
   b. Low-Medium Residential (LMR) portion to Community Mixed Use (CMU)

We agree that the requested changes are in line with much higher allowable heights of the surrounding blocks. This amendment would support gradual height transitions to the residential neighborhood to the south and west. As the owner of several properties in the Regent Street corridor, we see this as a smart growth plan.

Kindest Regards,

Steve Rognsvoog
Director of Operations
4 Lakes Properties
Managing Agent/Owner Hamilton Butler, LLC
steve@4lakesproperties.com

September 6, 2023

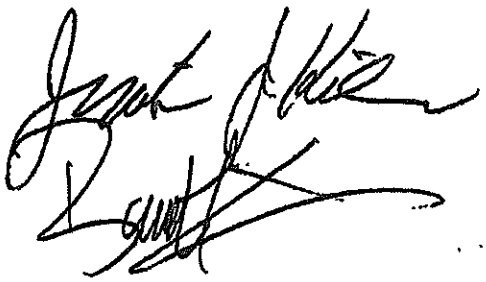
Jennifer Kilmer and Barrett Kilmer
owners
Indie Coffee LLC
1225 Regent St.
Madison, WI 53715

Dear Plan Commission members,

We are writing to express support for the proposal put forth by Philip and Terry Leung of Hong Kong Café and New World Investments LLC, to increase the height restrictions on Regent between East Campus Mall and Monroe Street. We have operated Indie Coffee at 1225 Regent for the past 19 years and have known Philip and Terry for most of that time. We have heard nothing but support from neighbors and the business community and believe more housing density in this area would greaqtly benefit the city of Madison as a whole.

Thank you for your time and consideration.

Best,
Jennifer and Barrett Kilmer



PETITION

Hong Kong Café, and other property owners in the area of Regent Street and Mills Street, are seeking a Generalized Future Land Use (GFLU) map amendment to the Comprehensive Plan to guide future zoning considerations and redevelopment for the 1100 south block of Regent Street. The following amendments are requested:

The block bounded by Regent, Mills, Charter and Bowen Court:

a. Neighborhood Mixed Use (NMU) portion amended to Community Mixed Use (CMU)
b. Low-Medium Residential (LMR) portion to Community Mixed Use (CMU)

Supporting this request are the following points:

1. the recent adoption of the Transit overlay district within ¼ mile of Park Street, the lack of development in this particular area of Regent Street due to the economics of real estate, land and development costs, and the City of Madison's long-term need to provide more opportunities for the creation of housing and other supportive commercial development.
2. Additionally, properties immediately to the north and east of the subject blocks are currently shown to be CMU and Employment (E) with much higher allowable heights. This amendment would support gradual height transitions to the residential neighborhood to the south and west.
3. The neighborhood plan was adopted prior to the 2018 Comp Plan, and conditions have changed substantially in the interim since the neighborhood plan was adopted. The current plan hamstrings redevelopment of the Regent Street corridor with low buildable heights. In light of underlying real estate values, developments at the lower heights are far less economically feasible without substantial subsidy.
4. The proposed amendment is consistent with the goals, strategies and actions of the 2018 Comprehensive Plan with regard to land use/transportation, housing, growing equitable economy, creating cultural vibrancy and character, and supporting parks with successful development and the fees it generates.
5. The proposed amendment fits well within the context of the predominant desired uses of the surrounding area, with potential for more housing and supporting commercial activity. Regent Street is unquestionably a commercial block at a crucial boundary between campus and neighborhoods. Allowing additional height in this corridor will spur improvements that the Comp Plan, businesses and neighbors north and south desire.



I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address	Signature
Patricia O'Callaghan	1910 Birge Terrace #2	Pat O'Callaghan
Teresa Knudson	1517 Fremont Ave	Teresa Knudson
Osmond Chen	701 Bartell St	[illegible]
Holly McEntee	4813 Tokay Blvd Madison 53711	Holly McEntee
Saverio Capuano	302 Blue Ridge Pkwy Madison, WI 53705	[illegible]
Sandra Boehm	W10841 Wildwood Way	Sandra Boehm
RHGARD METZ	5194 SASSAFRAS DR, 301 FITCHBURG, WI 53711	[illegible]
Paul Gabourie	624 Cabrillo Dr Verona WI 53593	[illegible]
Lea Jacobs	1624 Madison St 53711	Lea Jacobs
[illegible]	1129 Crin St #1	[illegible]
Ben Brewster	1624 Madison St	[illegible]
Glenn Cushing	2205 CHAMBERLAIN Ave	[illegible]
PATRICK STERN	2556 W. LAWN AVE	[illegible]
Emma Ruffo	173 Tower Dr	[illegible]
Jenny Ruffo	1110 Surrey Dr SP	[illegible]
[illegible]	1332 Brittingham Cl	MARY BERRIMAN AGARD
Martha Scott	4014 Hearthstone Jamesville	Martha V Scott
Tom Williams	2216 Korgen Dr	TS Williams
Helen Williams	2216 Korgen Dr.	Helen Williams
Richard B. Jacobson	1933 Regent St. Apt 210	RICHARD B. JACOBSON
Rick Voland	2120 University Ave.	Rick Voland
[illegible]	1097 Roby Rd	[illegible]
PAUL MICHOR	6306 TWIN OAKS CT WI OREGON,	[illegible]
Joel Michor	3902 Maple Grove Dr. Madison WI	Joel Michor
DAVID STRECKER	2112 Jefferson	[illegible]
Stephen Dewitt	2702 Monroe St Madison	Stephen Dewitt

I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address	Signature
Nancy Curtin	5916 Hammersley Rd	Nancy Curtin
Karen Lenoch	220 Bordner Dr.	Karen Lenoch
Marcy Gurovitsch	2214 Dahlk Cir.	Marcy Gurovitsch
Libby Macksman	2789 Rosellen Ave	Libby Macksman
Frank Lenoch	220 Bordner Dr.	[illegible]
Mark Schafer	2214 Dahlk Cir	[illegible]
DENNIS PURDY	201 N. HILLSIDE TERR	Dennis Purdy
Dave Tawd	5916 Hammersley	Dave Tawd
Zach Kreisler	25 Autumnwood Cir	[illegible]
Logan Kahl	2516 Lordshire	[illegible]
Amy E Collier	1414 Chandler St	Amy E Collier
David Sykes	6310 Offshore Dr	[illegible]
Steve Bergen	6310 Offshore Dr	Steve Bergen
Pete Collier	1414 Chandler	Peter Collier
Christopher Gillette	421 Engelhart Dr	[illegible]
GARY POULSON	637 Charles Ln	Gary Poulson
Audrey Short	413 Dyring Hawk Trl, Madison	Audrey Short
Gail Miller	1813 Rowley AV	Gail Miller
Friedrich Winer	1617 Loftsgordon Ave	[illegible]
Tina Choles	2 Madeline Island	Tina Choles
KATHY GUNDLACH	5086 BYRNE RD.	Kathy Gundlach
JERRY GUNDLACH	5086 BYRNE RD.	[illegible]
[illegible]		
[illegible]		
[illegible]		
[illegible]	225 Potowatomi	[illegible]
LUIS SORIA	1105 REGENT ST	[illegible]

I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address	Signature
James Morin	622 Jacobson Ave	[illegible]
Mark Thomas	2601 Badger Ln	[illegible]
Barb Geurts	3003 Marvin Ct.	Barbara Geurts
Jerry Geurts	3003 Marvin Ct	[illegible]
Shara Greidanus	1306 Landmark	[illegible]
Jaret Schroeder	1918 Madison St.	Jaret Schroeder
Emily Schroeder	1918 Madison St	[illegible]
Steve Anderson	617 S. Madison St Staughton	[illegible]
Bob Worm	4129 Monona Dr	[illegible]
Kathy Curtis-Waddell	3347 N Stone Creek Circle, Madison	K Curtis-Waddell
Siu C Leung	1030 HIGH ST. MADISON	[illegible]
Greg McThern	1305 North Part Dr	[illegible]
Sullivan, D. Michael	2233 Selkirk Drive	[illegible]
Nancy A. Schmeiser	113 Van Duesen St	Nancy A. Schmeiser
Thomas Brush	1909 Keyes Ave	[illegible]
Mary Brush	1909 Keyes Ave	[illegible]
Anita Morris-Dockter	1905 Frisch Rd	Anita Morris Dockter
Garth Dockter	1905 Frisch Rd	Garth Dockter
Louise Stephenson	3552 Richie Rd	Louise Stephenson
David Stephenson	3552 Richie Road	[illegible]
Brooke McCullick	208 Olson Ave	[illegible]
Erin Gillitzer	5909 Sharpsburg Dr.	[illegible]
Judy Chrestensen	2535 Marshall Pkwy	[illegible]
Gregg Schieve	5 Kiowa Ct Madison	[illegible]
Iris Christensen	5 Kiowa Ct. Madison	[illegible]
Rosemary Patton	20 N Butler St Madison	[illegible]
Matthew Reniero	20 N Butler St Madison	[illegible]

I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address	Signature
Tony Patton	1738 Cedar Creek Tri	[illegible]
Don Schutt	2974 Roidt Dr.	[illegible]
Sarah Schutt	2974 Roidt Dr.	[illegible]
DAVID PUTTKAMER	608 HARRISON ST	[illegible]
Richard Cheadle	147 E. Reynolds	[illegible]
Sherry Cheadle	147 E. Reynolds St	[illegible]
Jerry GOODMAN	6019 WILLIAMSBURG WAY	[illegible]
Jean Wiechert	6014 Danville Dr.	[illegible]
TOM GIVNISH	206 NATCHEZ TRACE	[illegible]
Eva Kühl	1157 Sherman Ave.	[illegible]
Michael Frank	402 S Owen Dr	[illegible]
Casey Kavanaugh	1010 Oakland Ave	[illegible]
Katie Uhalt	1010 Oakland Ave	[illegible]
Frederick R Blattner	1547 Jefferson	[illegible]
Robert Shanks	1260 Gile Way	[illegible]
Mary Lee	2810 Post Rd	[illegible]
Barbara Morris	5501 Lacy Rd	[illegible]
Sandy Finnerty	1635 Pondview Ct	[illegible]
Pat Finnerty	1635 Pondview Ct	[illegible]
Betty Zeps	1922 Adams St.	[illegible]
Dale Kraus	391 Van Buren St	[illegible]
MARK BARRY	8986 WATERFORD ST	[illegible]
Nick Mott	555 South Midvale Blvd	[illegible]
John Hagemann	324 Isham St. Stoughton	[illegible]
Shelby Schaefer	222 Crystal Ln	[illegible]
Erin Mender	5609 Glenway St	[illegible]
Maria Walker	P.O. Box 234 Morrisonville	Maria Walker

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Name (print)	Address	Signature
Nicole Silva	6755 depot street windsor WI	Nicole Silva
Evelyn Heymood	1937 Vondron Rd.	Evelyn Heymood
James Morgan	5609 Wenwog St	[illegible]
PAT SCHMITT	6621 BOULDER LN	[illegible]
Amelia Zirkle	4716 Turner Ave	Amelia Zirkle
BARRY ORTON ~~Barry Orton~~	4718 LAFAYETTE DR	Barry Orton
Jim Stahl	6648 Offshore Dr 53705	James G Stahl
Howard Hahn	314 S Charter Street	Howard Hahn
Nick Dorr	833 S. Shore Dr	[illegible]
Jody Dorr	833 S. Shore Dr	[illegible]
GUNDEL METZ	5194 SASSAFRAS, FITCHBURG	[illegible]
Robert Markwardt	838 E. Johnson St.	[illegible]
David Ohnstad	P.O. Box 365 Black Earth	[illegible]
Paul Ninneman	1909 Sherman Ave.	[illegible]
Bob Terrell	3210 Quincy Av	[illegible]
Jenny A Schultz	319 S. Burnett	Jenny A Schultz
Jenny M Schultz	319 S. Burnett	Jenny M Schultz
Ashley Schultz	995 S Main St	[illegible]
Mike Schmaltz	408 E Washington Ave	Mike Schmaltz
Marc Schmaltz	408 E Washington Ave	[illegible]
Kelly Schmaltz	6107 Patton Ct	Kelly [illegible]
CHARLES SCALA	41 SETTLER HILL CIRCLE	[illegible]
Joel Levin	625 N. Segoe Rd #602	Joel R. Levin
Kandis Elliot	814 Powers Ave	
Mary Berger	2676 Aberdeen Ct	Mary Berger
Bertha Voigt	2676 Aberdeen Ct.	Bertha Voigt
Carol S Schulston	113 Cambridge Rd	[illegible]

I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address	Signature
KAREN RIVERA	618 Frederick St Sun Prairie Wi 53590	Karen Rivera
Julie Zbigniewicz	2792 Twilight Dr. S.P.	Julie Zbigniewicz
Andrew Kane	303 Princeton Ave, Madison, WI	Andrew Kane
Jake Nagel	467 Blue Heron Dr, Pulaski, WI	[illegible]
Nicole Kamholz	1617 Hoyt Street, Madison, WI	
Ellis Kozlovsky	303 Princeton Ave, Madison WI	
Juan Montes	4813 Kingsford Way Madison WI	[illegible]
Stephany Linn	1843 Nakoosa Trail Madison WI	[illegible]
Adriana Gamble	4502 RIGNEY Lane MADISON WI	[illegible]
Erika Alcala	1138 Brooklyn, WI	[illegible]
Lisa Steinbach	1517 Westshire Circle	Lisa Steinbach
Paul Lippey	1117 E Main Stoughton 53589	Paul Lippey
Audrey McDermott	328 #2 Ruby Rd Stoughton WI 53589	Audrey McDermott
Manuel Hernandez	3205 Maple Grove DR	[illegible]
Warsa Zerome	2326 Badger Pkwy	[illegible]
Skylar Flannery	W995 Taylor Trail	Skylar Flannery
Gopi Patel	1133 Petra Pl. 4	Gl. Patel
[illegible]	1962 [illegible] Rd	[illegible]
Dustin Schutter	4102 Mineral Point rd	[illegible]
Brenda Frary	903 W. Badger Rd	[illegible]
Dave Rieck	5445 Hazelcast Dr	[illegible]
Danae Newallo	177 N Lexington Pkwy Deforest	[illegible]
Matt R.	202 S PARK ST	[illegible]
Michelle Miller	202 S. Park St	[illegible]
Jason Egner	202 S Park St.	[illegible]
Crystal Stigler	202 S Park St.	[illegible]
Cache Pluck	[illegible]	[illegible]

I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address	Signature
Sarah Levin	1715 Hoyt St. Madison	[illegible]
DONA FRUSHER	1014 HIGH ST	Dona Frusher
Freddie Frusher	10 ft High St	[illegible]
Steve Books	625 Spruce St.	Steve Books
Michael Shapiro	5164 Reynolds Ave	[illegible]
Danielle Shapiro	5164 Reynolds Ave	[illegible]
THOMAS OATES	4126 N. SUNSET CT.	[illegible]
Chris R Larkin	214 Merrill Crest Dr	[illegible]
Jill Carlsen	214 Merrill Crest Dr	Jill Carlsen
Sue Polkowski	5010 Barton Rd.	[illegible]
Jim Polkowski	PO Box 5593 Madison	[illegible]
Megan Roth-Mackenzie	918 Jenna Dr. Verona	[illegible]
HORENE E ROTH	544 Hilltop Dr Madison	Horene E Roth
Barbara E. Schaff	1121 Red Tail Dr.	Barbara E. Schaff
Hope Elliott	5802 Leanne Lane	Hope Elliott
James Elliott	5801 Leanne Lane	[illegible]
Joan Snedeker	520 S. Orchard St	Joan Snedeker
Mike Snedeker	520 So. Orchard St	Michael Snedeker
Bob Ruhland	5792 Lacy Rd	[illegible]
Luanne Ruhland	5792 Lacy Rd. Madison	Luanne Ruhland
Clifford Koehler	214 N Whitney Way	Clifford Koehler
Mike Lester	30 South Mills	[illegible]
Rob OLSON	1201 BAITINGER CT SP	[illegible]
Kathy Lueck	1417 Oak St Watertown	Kathy Lueck
Mary Mason	1 Hartwig Dr. Johnson Creek	[illegible]
Andy Heidt	3128 St Paul Ave Mad	[illegible]
Max Heidt	108 S Mills St	[illegible]

I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address 53711	Signature
Lee Jones	5856 Schumann Dr	[illegible]
Mark O Pease	5705 West Open Meadow 53558	[illegible]
Katharine E. Pease	5705 West Open Meadow 53558	Katharine E. Pease
Nancy Bradley	108 S. Mills 53715	[illegible]
David A Barnett	1060 Jechzer Rd Deerfield	David A Barnett
Kevin Lee	6005 Lynbrook Lane 53719	[illegible]
Caitlyn Fung	1320 Bowen Ct 53715	[illegible]
Isabelle Inthisone	239 Moorland place 53596	Isabelle Inthisone
Anna Tobon	442 W Main St, #4, 53703	[illegible]
Juan Esparza	215 N Frances St, 53703	[illegible]
Bailey Olson	29 Capitol View Ter. #5	[illegible]
Christina Olson	29 Capitol View Ter #5	[illegible]
Jackson Schmitt	1815 University Ave Apt #203	[illegible]
Scott J. Wardell	4106 Greyhawk Tr Madison WI	[illegible]
[illegible]	2025 Jefferson St	[illegible]
Janet Lowe	2025 Jefferson St	[illegible]
Mike Hellenbrand	2731 Ridge Ct. McFarland	[illegible]
Janeen Hellenbrand	2731 Ridge Ct McF	Janeen B Hellenbrand
Ashley Hellenbrand	1835 Winnebago St #103	Ashley Hellenbrand
Bonnie Thiel	1518 Blue Heron Way 53575	Bonnie Thiel
Aaron Thiel	1148 Fish Hatchery Rd	[illegible]
Swaminath Rajagopalan	1711 Black Cherry Ct Veronawi	[illegible]
Alyson Brush	1909 Keyes Ave Madison, WI	[illegible]
Amy Curtin	2200 Colladay Pt Dr Stoughton	[illegible]
James Uhalt	442 Ineachen Drive	[illegible]
Charles Uhalt	417 Coyle Pkwy Cottage Grove	[illegible]
Mary Chance	559 Chathan Ter.	Mary Chance

I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address	Signature
NATASHA FERREIRA	4511 MAHER AVE. 53706	
Louis Immendorf	363 W WASHINGTON #1107	
Dan Molloy	146 Lansing St 53704	
Liz Windsor-Engnell	1330 Forster Dr 53704	
Ruiqun Chen	1301 Reed Ct. 53597	
Patrick Harvey	1446 Wheeler Rd.	
Alexis Tokos	1446 Wheeler Rd	
Nate Garrison	711 Cricket Ln Unit 3	
Rachel David	1756 S. Fish Hatchery 53575	
Kyle Anderson	1756 S Fish Hatchery Rd 53575	
Lee Ping Ong	927 Burwyck Dr. Janesville WI 53546	Lee Ping Ong
Annika Mueller-owens	1335 Drake St.	
Elias Milanich	1335 Drake Street	
Hope Marshall	1335 Drake Street	
Brannen Clark	837 West Badger Road #7	
Elizabeth LimKim	1610 Mayfield Lane	Elizabeth LimKim
NASHITAN KAWAE	6652 N. TOWNE RD	
Taylor McElligott	2249 Coolidge St. #2	
WOODY WALLACE	401 BRYCE CANYON CIR	
Jake Kujawa	5452 Patriot Dr	
Alissa Bratz	1416 Lansing St.	
Kinnic Eagan	3024 Irvington Way	
Scot Pownell	1805 Manley St	Scot Pownell
Olivia Yee	1520 Tripp Cr.	
Laila Jenkins	1335 Drake St.	
Kenneth Chuen	10 N Livingston	
Kimberly Anderson	1806 Danbury 53711	

I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address	Signature
Brian Corriveau	2442 Superior	[signature]
Curt Hendrickson	1410 WHEELER RD	[signature]
Gail Seffingwell	N4837 Hagen Rd R10	[signature]
Dan Prine	2 Badeau Cir. 53704	[signature]
Eric Winegarner	1 Northridge Terr. Apt B 53704	[signature]
Casey Tapster	1938 Shelley Ln. 53704	[signature]
Mike Marinac	9 Glen Hwy	Michael Marinac
Melissa Adams	418 N. Sherman Ave. 53704	M. Adams
Scott Endres	418 N Sherman 53704	[signature]
Dave Ballman MD	1014 E Johnson St	[signature]
Sarah Kazeel	6214 Schroeder Rd 53711	[signature]
Sterling S. Glass	4501 Village Ln	[signature]
Isabelle Baggenstoss	1013 Spring St	[signature]
Matthew Baier	312 N. Brearly St	[signature]
Andrew Bork	5564 River Rd. 53597	[signature]
Ed Manuel	6401 Dylyn Dr 53719	Ed Manuel
Kelly Elver	6401 Inner Dr 53705	[signature]
Eric Forslund	6401 Inner Dr 53705	[signature]
Andrew Forslund	6401 Inner Dr 53705	[signature]
Mia Forslund	6401 Inner Dr 53705	Mia L. Forslund
IP Hing Wah	1225 Jasmine Dr 53719	[signature]
Hai Van	1225 Jasmine Dr 53719	[signature]
Meissa Lang	1225 Jasmine Dr. 53719	[signature]
CHUH LAM	1225 Jasmine Dr 53719	[signature]
IP Fung Ngor	1225 Jasmine Dr 53719	[signature]
IP Hin Lam	1225 Jasmine Dr 53719	[signature]
IP Curtie	1225 Jasmine Dr 53719	[signature]

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I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address	Signature
JULIE ADRIANSJACH	2656 S. STOUGHTON RD	
PAM Adriansjach	2656 S. Stoughton Rd	
Hasanah Syadhrani	2222 S. Whitney Way	
PA CHEE THAO	1014 W Badger Rd #C	
Sara Jow Olsen	117 Woodview Dr. Cottage Grove	
Christopher Olsen	117 Woodview Dr, Cottage Grove	
Philip Rein	2675 N DARK LN Fitchburg	
Max Pretasky	932 E MIFFLIN ST #1	
Cole Frost-Ohlsen	1923 E MIFFLIN ST	
Ka Moua Thao	1106 W Badger Rd #B	
Nancy Xiong	1015 W. Fiedler LANE #2	
Kevin Xiong	1015 W. Fiedler Ln #1	
Maichia Thao	1015 Fiedler Ln #1	
Jimmy Xiong	1015 Fiedler Ln #1	
Boun Xiong	1014 W Badger #C	
Vong Thao	1106 W Badger rd #B	
GEOFF CONRAD	5 VISTA RD	
Trina Hagemann	35 Pelican Cir.	
	38 Jennifer	
Robert Stohr	5188 Satsuma Lane Fitchburg	
Curtis Jones	5731 Monticello Way	
Jana Lawrence	10 Gerry Ct N	
Barbra Lawrence	5731 Monticello Way	
Jaxson Uhalt	442 Ineichen Dr	
Anastacia Funek	2910 Stafford Dr	
Jill Cohen Kolb	1910 Rowley Ave	
William Kolb	1910 Rowley Ave	

I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address	Signature
PETER Li	5018 piccadilly DR	Sau Li
AI HOA FENG	4019 Gray Hawk	Ai Hoa
DAO Phung	2535 Way Brige	Dao Phung
DAN BAUKNECHT	2313 CENTER AVE	[illegible]
Kristie Roller Bauknecht	2313 Center Ave.	Kristie R Roller
Cyrena Pondrom	210 Princeton Ave 53726	Cyrena N. Pondrom
Charlotte Woods	10 Regis Cir 53711	Charlotte Woods
DAWN Cherek	19 Broom St MAD, WI	Dawn Cherek
Sonny Senethavysouk	69 N. Broom St	[illegible]
Kinho Lee	7419 W Valley Ridge Dr.	[illegible]
Florence Yeung	7419 W Valley Ridge Dr.	Florence [illegible]
Jason Lee	7329 W Valley Ridge Dr	Jason Lee
Nuri Lee	7329 W Valley Ridge Dr	[illegible]
Saufai Lee	7329 W Valley Ridge Dr.	Saufai Lee
[illegible]	333 W. Main	[illegible]
R [illegible]	333 West Main	[illegible]
Barbara Brodhagen	928 West Shore	Barbara Brodhagen
James Beane	935 West Shore	[illegible]
Susie Hostetler	501 E Dean Ave	[illegible]
Laura Varsen	322 Memphis MDSN	[illegible]
Adam Huber	524 N Heatherstone Dr	[illegible]
Patrice Hebl	524 N Heatherstone Dr	Patrice Hebl
Jamie Sadoski	3225 Weybridge	[illegible]
Grady Sadoski	3225 Weybridge Dr	[illegible]
TOM HEBL	3225 WEYBRIDGE DR	[illegible]
Susie Fricano	5338 Lighthouse Bay DR	[illegible]

I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address	Signature
Katherine McCarthy	515 University Ave Madison WI 53703	
Angelina Huang	765 W Washington Ave # 208	
Jenelle Devries	1 Levine Ct Madison WI 53714	
Lewis Gross	420 W. Dayton St. 53703	Lewis Gross
Carol Oh	1 Geary Court Madison 53715	Carol Oh
Irene Lai	730 Williamson St. 53703	
Elizabeth Ambler	5451 Williamsburg Way 53719	
Hannah Wessel	548 W Wilson St, Madison 53703	

I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address	Signature
BONNIE WHALEN	3812 DOLPHIN DR MADISON	Bonnie Whalen
CAROLYN REMMERT	201 N. Marietta WI 53719	Carolyn Remmert
Jill Hatleberg	6118 Stoney Oak Verona Madison	Jill Hatleberg
Shirley Leung	6005 Lynbrook Cir	Shirley Leung
Sin Ding Leung	1105 Regent St Madison WI 537.5	[illegible]
[illegible] LEUNG SIUHONG	4 S Mills St	[illegible]
Rebecca Ramy	3654 Dawes St Madison	Rebecca Ramy
LEUNG TERRY	4. S. Mills St. MSN	[illegible]

From:	Marcia Caton Campbell
To:	Plan Commission Comments
Cc:	Nicholas Leete
Subject:	Public Comment on Comprehensive Plan Interim Update
Date:	Wednesday, November 8, 2023 10:18:25 AM
Attachments:	Leete & Caton Campbell Plan Commission 20231108.pdf

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Plan Commission Members:

Attached are comments that Nicholas Leete, Chair of the Madison Food Policy Council, and I have prepared on the upcoming Generalized Future Land Use map update discussion scheduled to take place at the November 13th Plan Commission meeting. We thank you for your time in reviewing our feedback.

Sincerely yours,

Marcia Caton Campbell, MCRP, PhD (she/her/hers)
Executive Director

rooted
2702 International Lane, Suite 200
Madison, WI 53704
P: 608.772.0120 (Mobile)
marcia@rootedwi.org
www.rootedwi.org

I acknowledge that I live, work on, and benefit from the unceded ancestral lands of the Ho-Chunk nation known as Teejop (day-jope) since time immemorial. To learn more, please visit https://native-land.ca/.

November 8, 2023

To: City of Madison Plan Commissioners
From: Nicholas Leete, Director, Gardens Network Director, Rooted, and Chair, Madison Food Policy Council
Marcia Caton Campbell, Executive Director, Rooted, Member, Dane Food Council
Re: Comprehensive Plan Interim Update, Changes to the Generalized Future Land Use Map

As members of the Regional Agriculture and Food Sovereignty Working Group (RAFS), an entity created by the Madison Food Policy Council and Dane County Food Council, we have heard many requests for the preservation of farmland generally, along with specific requests from gardeners and farmers for access to farmland in and near the city. For the former, please see the recent Taskforce on Farmland Preservation adopted by the Common Council earlier this year. The latter includes a survey conducted by Rooted Gardens Network staff (including Nicholas Leete), of individuals interested in growing space over ¼ acre in size. With farmland preservation in mind, we ask the Plan Commission to consider the following:

First, the requirement that the Generalized Future Land Use (GFLU) amendment recommendations be limited to areas greater than 2 acres does not match the small scale at which most urban agriculture takes place. We ask that as the Plan Commission considers changes, and as this plan is used in the implementation of future zoning decisions, that sections of land down to ¼-acre (10,890 sq. ft.) in size be considered as important areas to preserve undisturbed. A ¼-acre plot can encompass 20 community garden plots at 20' x20' per plot, or is large enough for a small urban farm operation.

For your reference, and so that Plan Commissioners might understand what Rooted staff members (and many others in Madison) mean when we talk about urban agriculture, we attach two excerpts from American Planning Association Planning Advisory Service Report No. 563, *Urban Agriculture: Growing Healthy, Sustainable Places*, authored by Kimberley Hodgson, Marcia Caton Campbell, and Martin Bailkey.

- Excerpt #1, Urban Agriculture Described, offers a definition of urban agriculture and describes the value of this type of land use to overall community health and well-being, including its usefulness as an indicator of community resilience in environmental as well as social aspects.

- Excerpt #2, Typology of Urban Agriculture, covers the broad and varied range of types of urban agriculture practiced in cities around the United States, including the types of structures and facilities involved to support them.

We invite you to read these two excerpts to see why we are concerned about a requirement that GFLU amendment recommendations be limited to areas greater than 2 acres in size.

Second, we ask that the Plan Commission reconsider the GFLU Map Amendment Applications Nos. 66, 67, 68, and 69, made by Rooted staff, which recommended preserving all or a portion of areas on the east side of Madison as Parks and Open Space, with a goal of agricultural preservation. These suggestions were rejected by staff largely because they are part of or near planned low-density residential (LR) development. We suggest that rather than adding more low-density residential land to the city, the majority of these areas should be Parks and Open Space with some areas rezoned to higher density residential uses, or ideally, retain all of these areas for urban agricultural, while identifying other areas of LR generalized future land use to convert to higher density residential. Having agriculture or other open space adjacent to higher density development is mutually beneficial: higher residential density creates both an increased need for open space uses such as community agriculture and also generates larger, more concentrated user groups for those spaces. We believe this would be a preferable plan over continued low-density development.

With regard to specific amendments:

- Application #67 was not supported because "requester doesn't own the property,, but it appears that many requests came from "organization not listed or submitted by individual" and one such application (#51) was accepted. As a result, we request staff reconsideration of our application.

- Application #69 was not recommended because the "area is nearing build-out….[and] on a transit line." Again, we do not see LR as an appropriate land use for an area that is near build-out and on a transit line. Higher densities are required to make transit operations cost effective; people residing at the scale of an LR development are most likely automobile drivers rather than transit riders. Ideally, there would be higher density development along the transit line, with urban agriculture close by, rather than a sparsely populated area on a transit line with agricultural land out of reach of public transit.

Finally, we express our dismay at the difficulty in identifying areas appropriate for agricultural land preservation for the GFLU update, given the limitations and restrictions placed on the task. As Director of the Gardens Network, one of the signers of this letter is extremely knowledgeable about the scale at which urban agriculture is practiced in Madison and the demand for additional urban gardening and farming spaces around the city. The other signer is a trained city planner whose expertise is community and regional food systems planning (and author of the publication excerpted above), with decades of experience. If we found it nearly impossible to identify any areas to recommend for preservation as agricultural land in a GFLU update, what luck would the general public have in performing this task and providing their input to the process?

We appreciate that the task of updating the GFLU map is significant, requiring considerable effort on the part of planning staff and careful consideration by the Plan Commission. We thank you for taking the time to read our comments.

Sincerely yours,





Nicholas Leete
Gardens Network Director
nicholas@rootedwi.org
Chair, Food Policy Council
Chair, Food Policy Working Group

Marcia Caton Campbell, MCRP, PhD
Executive Director
marcia@rootedwi.org
Member, Dane County Food Council
Chair, Food Plan Working Group
Past Chair, American Planning Association
Food Systems Division

Excerpt from Kimberley Hodgson, Marcia Caton Campbell, and Martin Bailkey. 2011. *Urban Agriculture: Growing Healthy Sustainable Places*, Planning Advisory Service Report No. 563, Chicago: American Planning Association, pp. 2-4.

Urban agriculture has implications for urban planning as regulated by local and regional governments and planning agencies.

Urban agriculture entails the production of food for personal consumption, education, donation, or sale and includes associated physical and organizational infrastructure, policies, and programs within urban, suburban, and rural built environments. From community and school gardens in small rural towns and commercial farms in first-ring suburbs to rooftop gardens and bee-keeping operations in built-out cities, urban agriculture exists in multiple forms and for multiple purposes.

While it is a small component of the larger community-based food system, urban agriculture is important to the overall health and resilience of communities and regions, and as a practice it is expected to increase over the next decade. Therefore, urban agriculture has implications for urban planning as regulated by local and regional governments and planning agencies. These implications need analysis and clarification, since urban agriculture falls somewhat outside the range of traditional land-use designations (e.g., is a commercial urban farm as a land use most similar to a rural farm, a commercial enterprise, or a public park?). There are also emerging connections between urban agriculture and the redevelopment of urban brownfields in residential and industrial areas (see, e.g., Kaufman and Bailkey 2004), as well as the more extensive and more productive use of lawns and green space. Urban agriculture has been found to influence the value of neighboring real estate and thus has implications for land use beyond the boundaries of a particular agricultural site (Voicu and Been 2008).



Kimberley Hodgson

Along with its connections to land-use planning, urban agriculture can contribute significantly to the development of social connections, capacity building, and community empowerment in urban neighborhoods, most commonly through community gardening (Hynes 1996; Johnson 2010). In addition, it offers links to community development practice as a viable means of creating jobs, training youth, supplementing food budgets, and generating modest levels of revenue for urban farmers who sell their products. Urban agriculture also has much to offer community health planners as a health-promoting activity but also as a mechanism to connect urban and suburban producers of fruits and vegetables with urban consumers. When combined with other efforts to improve access to healthy, affordable food (such as healthy-corner-store programs and supermarket-financing initiatives), urban agriculture can become a valuable tool in promoting community food security, particularly in low-income, urban neighborhoods.[1]

Urban agriculture is increasingly seen as an indicator of community resilience.

In American cities that have been especially hard hit by economic decline or that suffer from degraded environments, urban agriculture is increasingly being viewed by communities as a useful indicator of resilience.[2] Older, industrial cities—such as Cleveland, Detroit, and Buffalo—with their drastic losses of population and acres of vacant land resulting from depopulation and disinvestment, are emerging as centers for urban agriculture initiatives. In essence, they are becoming laboratories for the future role of urban food production in the postindustrial city. Yet urban agriculture is also an



Kimberley Hodgson

increasingly important land use in dense, built-out cities such as Seattle and New York. Problems of food access disparities, childhood obesity, and food illiteracy have prompted urban agriculture activity on a variety of traditional and nontraditional spaces on public and private property.[3]

Finally, urban agriculture is part of a larger community-based food-system continuum that spans rural, periurban (peripheral areas where urban or suburban meets rural), suburban, and urban areas. As such, it is a key component of the emerging practice area of community and regional food systems planning that appears to be garnering increased acceptance among planning practitioners, educators, and students. As described in PAS Report No. 554 (Raja et al. 2008), community food planning seeks to foster greater levels of health and nutrition, particularly in low-income communities, by creating productive "food environments" through programmatic efforts (including community gardens and urban farms, farmers markets, and direct farm-to-school meal programs), policy initiatives (food charters and food policy councils), and comprehensive plans and zoning measures that accommodate community food activities.

A community-based food-systems approach has the potential to simultaneously address issues of food security, public health, social justice, and ecological health in local communities and regions, as well as the economic vitality of agriculture and rural communities. Such an approach emphasizes, strengthens, and makes visible the relationships among producers, processors, distributors, and consumers of food at the local and regional levels (Raja et al. 2008), while aiming to be:

Place-based, promoting networks of stakeholders, linking urban and rural issues, engaging residents, and creating senses of place;

Ecologically sound, using environmentally sustainable methods for producing, processing, distributing, transporting, and disposing of food and agricultural by-products;

Economically productive, bolstering development capacity and providing job opportunities for farmers and community residents;

Socially cohesive, facilitating trust, sharing, and community building across a diverse range of cultures and addressing the concerns and needs of marginalized groups, including minority and immigrant farmers and farm laborers, financially struggling small farmers, and underserved inner-city and rural residents; and

Food secure and literate, providing equitable physical and economic access to safe, nutritious, culturally appropriate, and sustainably grown food at all times across communities and fostering an understanding and appreciation of food, from production to disposal.

While programs, projects, and entrepreneurial activity are important components of a healthy, sustainable food system, their replication and effectiveness are often hindered by the absence of public policies that provide governmental, legal, and institutional support for community-based food systems (Raja et al. 2008). Historically, planners and local governments have had limited interests in food-systems issues and food policy (Pothukuchi and Kaufman 1999, 2000; Caton Campbell 2004). However, a number of formal and informal coalitions of food-system stakeholders, including local and regional governments and planners, are developing and implementing successful plans and policies to address issues—from food production to waste disposal—in hopes of creating healthier, more sustainable food systems, communities, and people.

Excerpt from Kimberley Hodgson, Marcia Caton Campbell, and Martin Bailkey. 2011. Urban Agriculture: Growing Healthy Sustainable Places, Planning Advisory Service Report No. 563, Chicago: American Planning Association, pp. 17-19.

CATEGORY	TYPE	DESCRIPTION
NONCOMMERCIAL	Private Garden	Private food-producing gardens located in the front or back yard, rooftop, courtyard, balcony, fence, wall, window sill, or basement of a private single-family or multifamily residence, attended to by an individual or gardening business. End products are typically used for personal consumption. Examples: National Gardening Association (www.garden.org), American Horticultural Society (www.ahs.org), Organic Gardening (www.organicgardening.com)
	Community Garden	Small- to medium-scale production of food-producing and ornamental plants, on contiguous or discontinuous plots of land, located on public or private property in residential areas, gardened and managed collectively by a group. Gardening activities and end products are typically used for consumption or education; however, they may also be sold on- or off-site, depending on local government regulations and the goals of the garden as a collective effort. Examples: American Community Gardening Association's community garden database (http://acga.localharvest.org), P-Patch Community Gardens (Seattle; www.seattle.gov/neighborhoods/ppatch), Neighborhood Gardens Association (Philadelphia; www.ngalandtrust.org)
	Institutional Garden	Small to large food-producing gardens or orchards located on private or public institutional property (school, hospital, faith-based organization, workplace) in a residential, commercial, or mixed-use area, gardened by an organization or business. The process of gardening is typically used for educational, therapeutic, and community service purposes—including but not limited to nutrition education, environmental stewardship, and community ministry. The end products are typically used for donation or consumption. Depending on local government regulations, they may also be sold on- or off-site at a stand, market, or store to financially support the garden's specific activities. Examples: Edible Schoolyard garden (Berkeley, Calif.; www.edibleschoolyard.org), Google Corporation organic garden (Mountain View, Calif.; www.google.com/corporate/green/employee-benefits.html), Harvard Pilgrim Health Care employee garden (Wellesley, Mass.), Legacy Good Samaritan Hospital garden (Portland, Ore.); Sophia Louise Durbridge-Wege Living Garden at the Family Life Centre (Grand Rapids, Mich.)
	Demonstration Garden	Small food-producing garden located on private property (school, hospital, faith-based organization, workplace) or public property (park, school, and other civic space) in a residential, commercial, or mixed use area for public demonstration purposes only, gardened by a local government agency, community organization, or business. End products are typically donated to local organizations and food banks. Examples: Baltimore City Hall vegetable garden, San Francisco City Hall Victory Garden, Not a Cornfield (Los Angeles; http://notacornfield.com), Public Farm One (New York; www.publicfarm1.org)
	Edible Landscape	The use of food-producing plants in the design of private and public outdoor spaces in residential, commercial, and mixed use developments, attended to by an individual or business. End products are typically used for consumption. Examples: Edible Estates (www.fritzhaeg.com/garden/initiatives/edibleestates/main.html), South East False Creek Mixed Used Development (Vancouver, B.C.; http://vancouver.ca/commsvcs/southeast/docments/pdf/designingUA.pdf)
	Guerrilla Garden	Unauthorized appropriation and cultivation of food-producing or ornamental plants on untended, abandoned, or vacant private or public land by an individual or group. End products are typically used for neighborhood revitalization purposes. Examples: Los Angeles Guerrilla Gardening (www.laguerrillagardening.org), SoCal Guerrilla Gardening (http://socalguerrillagardening.org), Edmonton Guerrilla Gardening (http://edmontongg.blogspot.com), South Phila Guerrilla Gardening (http://guerrillaphilly.wordpress.com), Green Guerillas (New York; www.greenguerillas.org)
	Hobby Beekeeping	Small-scale keeping of honeybees for personal use. Beehives can be colocated with gardens or nongarden uses (such as parks), on underutilized spaces (including rooftops) in residential, mixed use, or other public land areas. End products are typcially used for personal consumption, education, or donation. Examples: City Hall Bees (Vancouver, B.C.; http://vancouver.ca/commsvcs/socialplanning/initiatives/foodpolicy/projects/beekeeping.htm), New York City Beekeepers Association (www.nyc-bees.org)
	Hobby Chicken Keeping	Small-scale keeping of chickens for personal use in residential areas, or for commercial use in residential, mixed use, or other public land areas. Poultry keeping can be colocated with other agriculture and nonagriculture uses. End products are typically used for personal consumption, education, or sale. Examples: Backyard Chickens (Vancouver, B.C.; http://vancouver.ca/commsvcs/socialplanning/initiatives/foodpolicy/projects/chickens.htm), A2 City Chickens (Ann Arbor, Mich.; www.a2citychickens.com), Chicken Keepers (Cleveland; www.localfoodcleveland.org/group/chickenkeepers)

Table 2.1. *Typology of urban agriculture*

(continued)

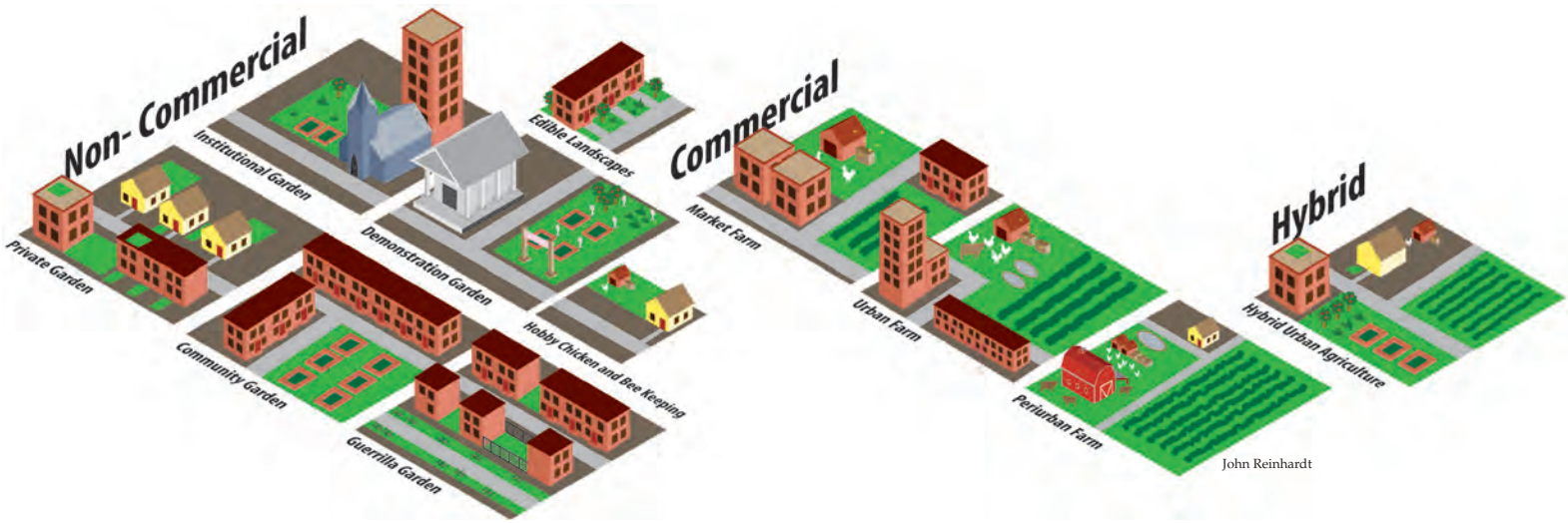
(continued from page 17)

CATEGORY	TYPE	DESCRIPTION
COMMERCIAL	Market Farm	Small- to medium-scale production of food-producing or ornamental plants, bees, fish, poultry, or small farm animals located on public or private property, and designed and managed for commercial purposes using a variety of growing techniques including in-soil, container, hydroponic, and aquaponic growing systems. End products are typically sold on- or off-site at a stand, market, or store. Examples: Urban Growth Farm (Cleveland; www.urbangrowthfarms.com), Fresh Roots Farm (Atlanta; www.freshrootsfarm.com)
	Urban Farm	Typically larger than market gardens and include larger-scale production of food-producing or ornamental plants, bees, fish, poultry, or small to medium-sized farm animals for commercial purposes using a variety of horizontal and vertical growing techniques including in-soil, container, hydroponic, and aquaponic growing systems. End products are typically sold on- or off-site at a stand, market, or store. If large enough, urban farms may adopt the community-supported agriculture (CSA) distribution model, through which consumers of the farm's produce over the growing season also share in its risks. Examples: Greensgrow Farm (Philadelphia; www.greensgrow.org), Red Planet Vegetables (Providence, R.I.; http://redplanetvegetables.wordpress.com), Springdale Farm (Austin, Tex.; http://springdalefarmaustin.com), Brooklyn Grange Farm (Brooklyn, N.Y.; http://brooklyngrangefarm.com)
	Periurban Farm	Practiced outside or on the fringes of metropolitan areas, often on agricultural land facing some threat of future development. Includes larger-scale production of food-producing or ornamental plants, bees, fish, poultry, or small to large farm animals for commercial purposes using a variety of growing techniques including in-soil, container, hydroponic, and aquaponic growing systems. Such farms are managed as agricultural businesses and may employ organic techniques or the CSA model. In most cases, the farm's production is marketed and distributed in the nearby metropolitan area. Examples: Potomac Vegetable Farms (Vienna, Va.; www.potomacvegetablefarms.com), Full Circle Farm (King County, Wash; www.fullcirclefarm.com)
	Beekeeping	Medium- to large-scale keeping of honeybees for commerical use. Beehives can be colocated with other urban agriculture uses (such as market gardens or urban farms) or other nonagriculture uses (such as parks or rain gardens), on underutilized spaces (including rooftops), in residential, commercial, mixed use, or industrial areas. End products are typically used for sale. Examples: Backyard Bees (Southern Calif.; http://backyardbees.net), Burgh Bees (Pittsburgh; www.burghbees.com), Earthworks Urban Farm (Detroit; www.cskdetroit.org/EWG/apiary.cfm).
HYBRID	Hybrid Urban Agriculture	Any combination of gardens and farms that produce food-producing or ornamental plants, bees, fish, poultry, or small to medium-sized farm animals for personal consumption, education, donation, and sale. Examples: 21 Acres (King County, Wash.; http://21acres.org), Hollygrove Market and Farm (New Orleans; www.hollygrovemarket.com), Growing Power (Milwaukee, Wis.; www.growingpower.org), Lynchburg Grows (Lynchburg, Va.; www.lynchburggrows.org), GROWHAUS (Denver; www.thegrowhaus.com)

Note:
Small = 0 to ½ acre or 1 beehive, 1–4 poultry, or 1 animal.

Medium = 1 to 2 acres or 2–4 beehives, 5–10 poultry, or 2–4 animals depending on poultry or animal size and available space.

Large = 5–10 beehives, 11 or more poultry, or 5–10 animals depending on poultry or animal size and available space.



ELEMENT	DESCRIPTION
Accessory Structures and Materials	
Growing	Raised beds, containers, and similar contained growing systems; planting-preparation houses or similar structures; greenhouses, hoop houses, coldframes, and similar structures used to extend the growing season; or hydroponic equipment, supplies, and structures
Irrigation	Water hoses, rain barrels, and other equipment used to irrigate the garden or farm
Compost	Bins, worms, screens, inputs (household, restaurant, or other food-service food waste; yard wastes; and poultry or animal manure), and other materials
Bees, poultry, and animals	Beehives, coops, cages, stables, barns, fences, or other enclosures
Fish	Aquaponic equipment, supplies, and structures
Storage	Tool sheds, dry or cold storage rooms, and other similar structures
On-site sales	Farm stand, retail store, or similar structure
Other	Benches, shade pavillions, restroom facilities, office space, picnic tables, children's play areas, and other structures and spaces.
Processing Facilities	
On-site facility	Partially or fully equipped kitchen for food preparation, preservation, or packaging, located on-site for personal consumption or commercial purposes. Commercial facilites are state inspected and licensed to allow the preparation and preservation of food for sale to a variety of retail destinations.
Community kitchen	Shared-use facility with a partially to fully equipped kitchen used for food preparation, preservation, and packaging. Noncommercial facilities are used for personal consumption purposes only and can be located anywhere from church basements to community centers to freestanding structures. Commercial facilities are state inspected and licensed to allow the preparation and preservation of food for sale to a variety of retail destinations.
Community processing center	Small-scale state-inspected and licensed facility containing a variety of equipment, which can be rented by urban growers to add value to raw food products through processing, packaging, and subsequent delivery to retail destinations
Distribution	
Food hub	Centrally located facility with a physical drop-off point for multiple food producers (gardeners, farmers) and a pick-up point for food buyers (restaurants, stores, institutions, cooperatives, caterers, etc.) wanting to buy locally grown or raised food products; or an online, virtual meeting place to connect food producers and sellers with food buyers
Retail Destinations	
Farm stand	Small retail venue, typically featuring one urban farmer, located on-site at a market garden, urban farm, or periurban farm, to sell agricultural products directly to consumers
Farmers market	Retail venue featuring multiple urban, periurban, or rural farmers operating within a certain geographic area to sell agricultural products directly to consumers
Community-supported agriculture	Direct grower-to-consumer sale and distribution model that emphasizes shared investment, responsibility, and risk. A grower sells a share of farm output to individuals and families at the beginning of the growing season and supplies seasonal produce and other agriculture products weekly or biweekly throughout the growing season. Agricultural products are typically distributed directly from the farm to an individual shareholder's home, place of work, or designated pick-up site.
Farm-to-institution	Direct sale of locally produced food products to schools, universities and colleges, hospitals and long-term care facilities, prisons and correctional facilities, and other institutional facilities
Food cooperative	Member-owned, member-controlled food business made up of food producers and consumers. Facilitates the direct sale and purchase of agricultural products between members at a designated store; members may be required to pay an equity investment to join the co-op or work in the store, and in return receive special benefits, such as reduced rates
Other	Restaurants, catering businesses, corner stores, bodegas, mobile food carts, and small and larger grocery stores

Table 2.2. *Urban agriculture infrastructure*

TO: PLAN COMMISSION
RE: COMPREHENSIVE PLAN INTERIM UPDATE
Legistar #80281

Some of you may be aware of my extensive experience with City of Madison planning processes. I have chaired the Plan Commission, the Community Gardens Committee, the Madison Food Policy Council, and served as interim director of the City's Department of Planning, Community and Economic Development from 2019-2020. Most recently, I chaired the Common Council's Task Force on Farmland Preservation in 2022-23.

I write in support of **Item K** on Staff's List of Proposed Revisions to the City's Comprehensive Plan **adding community gardens and urban agriculture** to the list of appropriate land uses in the Parks & Open Space category on page 25. Madison has made a significant effort to locate (especially) community gardens in publicly owned areas for decades to provide secure land tenure; it is important to both acknowledge and continue this practice.

The parameters for text revisions in the "interim update" process were very restrictive, but the Comprehensive Plan needs **a definition of community gardens**. Consider recommending the definition provided in the Zoning Code be added to the Glossary of Terms (Appendix E).

It is also worth noting that one of the reasons for undertaking the "interim update" process was to acknowledge and incorporate information acquired since 2018 through various planning processes authorized by the City. While most of these updates appear on the GFLU map because of recently adopted neighborhood plans and amendments, the Common Council recently accepted a report from the Task Force on Farmland Preservation that provides important background information, tools and recommendations to guide land use decisions where growing spaces are possible and desired by the community. Building on this report, the City's Subdivision Regulations were revised this summer to include the "preservation of farmland" as one of its purposes, and Economic Division Staff has drafted language to include this criteria in the City's land-banking policy. The "implementation matrix" in the Task Force Report (pages 12-15) also includes recommendations for every chapter of the Comprehensive Plan in the next 10-year update process to acknowledge the important contributions that growing spaces in a broad range of sizes and locations make to our community.

Until then, the Task Force Report provides valuable guidance as you approach land use decisions in the next 5 years until the Comprehensive Plan can more fully reflect these values. Thank you for your consideration.

Nan Fey, 444 West Wilson Street, Madison, WI 53703 11/7/23

Cleveland, Julie

From: Jeff Reinke <jsreinke@yahoo.com>
Sent: Friday, November 3, 2023 5:11 PM
To: Plan Commission Comments
Cc: benjamin.b.neumann@gmail.com; hannah@schneidewend.com; LLC; URBAN ASSETS LLC; abriddell@me.com; yanzel@wysomusic.org; mhuffman@huffmanfd.com; tlna@groups.io; Rummel, Marsha; Bennett, Juliana; president@tenneylapham.org; jbelknap@znet.com; Meagan.elaine@gmail.com; cherylbalazs@gmail.com; l.dilley@hotmail.com; jsreinke@yahoo.com; tacocatcreations@gmail.com; susan@wysomusic.org; mkundinger@strang-inc.com; mhuffman@huffmankeel.com; roger@wysomusic.org; Ben Bouche; James Zradicka; Eric Plautz; Tyler Brovelli; Mayor; Lance McGrath; John Seamon; Nisa Giaquinto; John Shively; Chris Wagner; John Belknap; Randall Wilkins; Tom Klein; Nicholas Schulenberg; Bridget Fraser
Subject: Comments, an article, and a video, for the Comprehensive Plan Interim Update meeting, on Monday, November 13th (?).
Attachments: Ultra-Sustainable Construction Article.pdf

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Greetings to the members of the City's Plan Commission, and others. We hope you are all doing well.

Firstly, we are submitting to you, via a pdf, a short article on advances in building technologies. The article is from the 9-22-2023 edition of *Newsweek* magazine.

This article is a prime example of LEED - Leadership in Energy and Environmental Design. Also, while reading on the Comprehensive Plan Interim Update, we somewhere came upon the statement

(sorry, we are not exactly sure where): these new building technologies will make for "#4 [a] better fit with the predominant uses and development patterns in the surrounding area."

These new technologies can save large amounts of money and energy for developers, construction companies, building owners, and the general population.

Secondly, we are submitting a 13:38 minute Ted Talk on how new buildings are being constructed and built to bring more joy into people's lives. If you will please watch the entire video, you will

see and hear about such buildings. We have an example of such a building, going up right now, here in Madison, Wi. We are referring to the WYSO (Wisconsin Youth Sympathy Orchestra) building,

on the 1100 block of East Washington Avenue.

We encourage the Commissioners and everyone to read the article and view the video. Our hope, intention, and purpose is that Madison will use these technologies and techniques to build more

energy, financial, and people friendly buildings, both now, with the Interim Plan, and indefinitely into the future.

Thank you very much for your time and consideration, of the *Newsweek* article, the video, and our heart-felt comments.

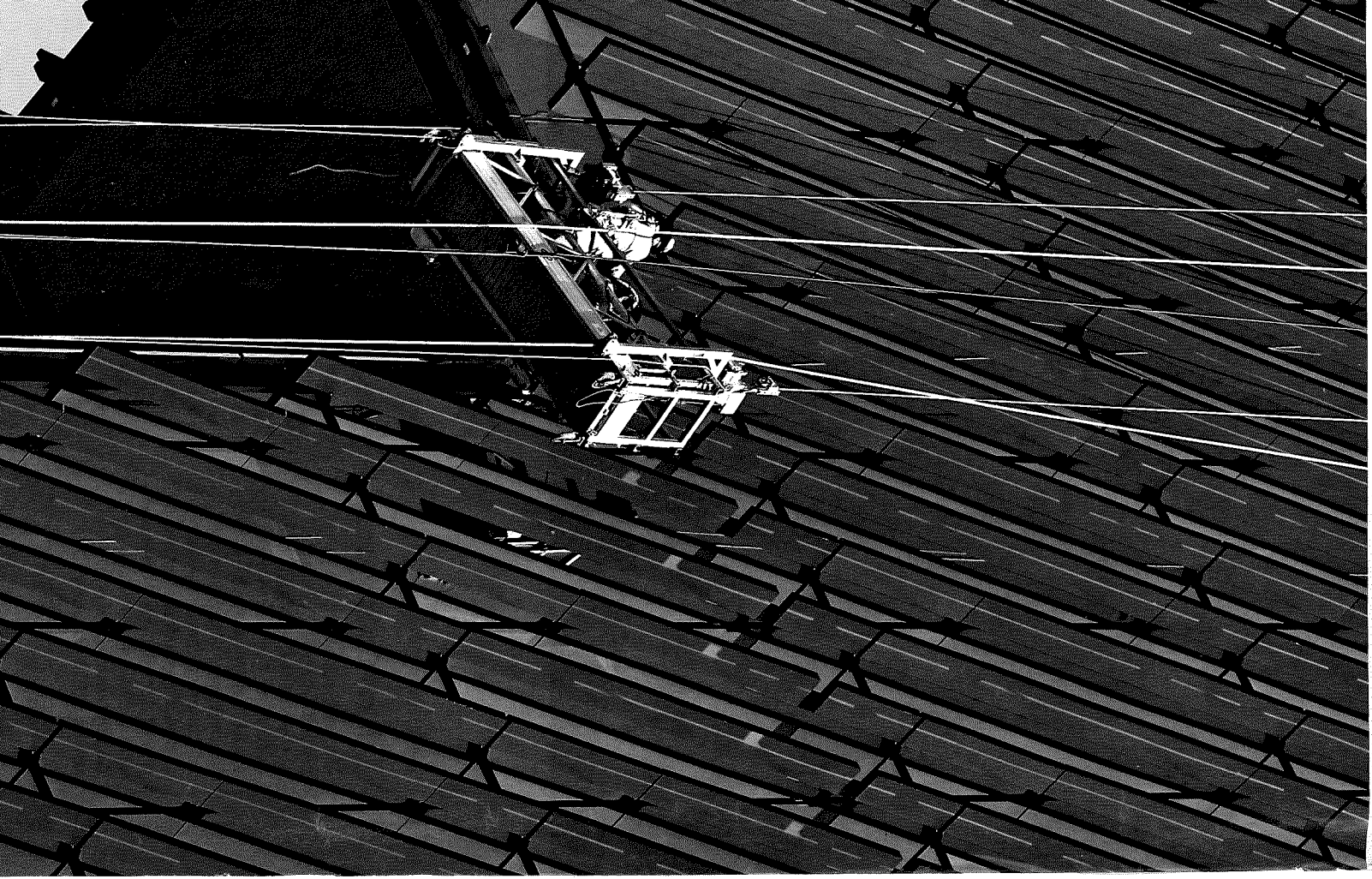
Sincerely,

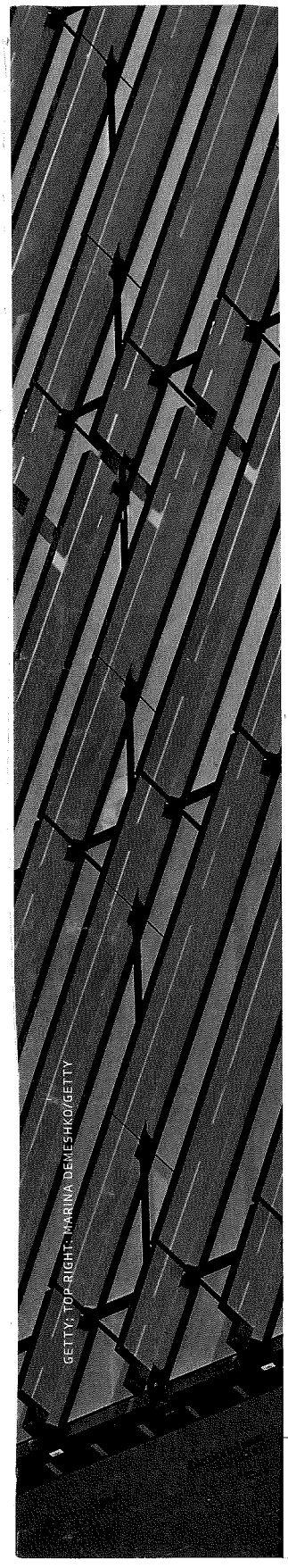
Karen Banaszak and Jeff Reinke

[Where Joy Hides and How to Find It | Ingrid Fetell Lee]



Where joy hides and how to find it | Ingrid Fetell Lee





GETTY; TOP RIGHT: MARINA DEMESHKO/GETTY

CLIMATE

Ultra-Sustainable Construction Goes Mainstream

A new green generation of buildings is hitting goals that were inconceivable 10 years ago—sometimes even improving the environment

by **DAVID H. FREEDMAN**

TRONDHEIM, NORWAY, A CITY OF 180,000 JUST 200 miles from the Arctic Circle on the coast of the frigid Norwegian Sea, hardly seems an ideal location for harvesting energy from the sun and surrounding environment. But a new 200,000-square-foot office building there is producing nearly half a million kilowatt-hours of renewable energy per year—twice as much as the building uses. The extra energy is powering other nearby buildings and charging electric cars, buses and boats throughout the city.

Highly sustainable buildings have been popping up around the U.S. and the world over the past decade. But now a confluence of new technologies and improving economics, as well as climate-change-inspired government regulation, are leading to the next wave in big construction: ultra-sustainable buildings. This new generation of green buildings is hitting environmental goals that would have seemed inconceivable just 10 years ago—in some cases not just avoiding all harm to the environment, but actually improving it, leading the communities and cities around these buildings down greener paths.

These futuristic-seeming buildings promise to close a yawning gap in the world's efforts to slow climate change and mitigate its harms. About 40 percent of the world's greenhouse gas emissions come from the heating, cooling and lighting of buildings—not including substantial emissions from the construction of conventional buildings. Sharply curtailing these emissions is an essential part of fighting climate change.

Zero Emissions Energy

To appreciate what goes into making an ultra-sustainable building, consider what it took to build the one in Trondheim. The product of a collaboration between

five Norwegian real-estate-industry organizations, the plans called for zero-emissions energy to heat, cool and otherwise power the structure. To get that energy, the developers built solar panels into the building's 31,000 square feet of exterior skin and pumped in what scant heat could be wrung from the nearby ocean waters. The result was the "Powerhouse Brattørkaia" building, finished in 2019, and now a model of how buildings can push out more clean energy than they consume.

Another ultra-sustainable building that's boosting community energy is the PAE Living Building in Portland, Oregon, designed by ZGF Architects as an office building. It relies on insulation and ventilation to reduce energy consumption by 80 percent compared to typical office buildings and collects and treats rainwater to meet the building's water needs. Because of limited space for solar panels, it couldn't generate all of its energy needs onsite. To make up the difference, it paid a nearby low-income housing project to install solar panels that generate enough electricity to power both the building and the housing project. "It makes sense to look at energy production from a regional point of view, rather than just in each individual building alone," says Kathy Berg, a principal at ZGF, which has been involved in a number of ultra-sustainable projects.

The motivation to use ultra-sustainable ideas in new commercial development—as well as to retrofit existing buildings to make them more sustainable—is economics. The costs of green technologies have been rapidly dropping. Solar energy, in particular, is becoming a better and better deal, falling in price about 10 percent a year, according to the U.S. Department of Energy. Renewable energy is becoming the smarter choice economically," says David Orr, a professor emeritus at Oberlin College and one of the pioneers of ultra-sustainable building design: "Anyone who buys a building that isn't solar-powered is just wasting their money." Regulators at local, state and federal levels are also demanding greener buildings.

"Anyone who buys a building that isn't solar-powered is just wasting their money."

Net Energy Positive

Making a building "net energy positive"—that is, capable of producing more renewable energy than it uses—is getting easier thanks in part to big improvements in solar panels. Panels today produce about 50 percent more electricity per square foot than they did 10 years ago, and experimental versions are already doubling today's output. Some new rooftop panels further boost output by capturing reflected light from the roof itself, as well as direct sunlight.

Thanks to advances in electronics that make solar-energy-generating components thinner and lighter, as well as materials innovations that can hide the components behind attractive, translucent coatings, these

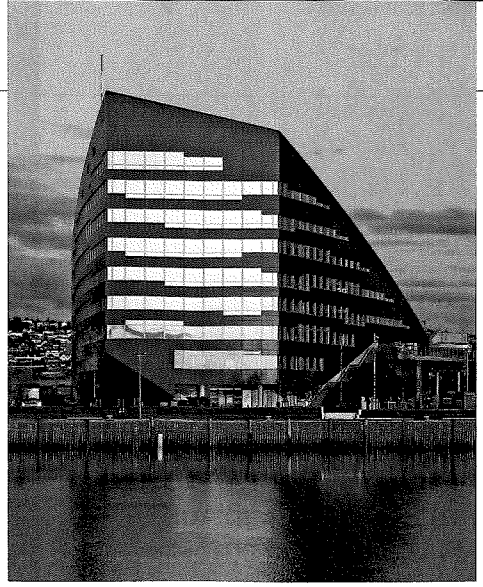


SNØHETTA

components can now be built into the panels that make up a building's outer skin, and they can be retrofitted into older buildings. In the German town of Bochum, a 12-unit apartment building that dates back to the 1930s was updated with solar skin panels that now supply the building's 45-kilowatt-hour-per-square-foot electricity consumption—with plenty of energy left over to pump back into the local grid.

Another rapidly improving energy-gathering technology is heat pumps, which enlist a circulating gas that is expanded and compressed in a way that grabs heat from outside air, soil or water—even if it's cold—and releases it indoors. (Reversing the process provides cool air during the summer.) Heat pumps had long been useless in colder regions, but the best ones today rely on new types of gases and more powerful compressors to work in below-zero temperatures. Because they run on electricity from the grid, rather than from burning natural gas, they save on emissions, and they are typically four times more efficient than conventional electric heat. Boston University's new computing and data science center, a 300-foot-tall, 345,000-square-foot tower that opened last year, depends entirely on heat pumps to get through the city's often-brutal winters.

Producing energy is only half the recipe for ultra-sustainability in new buildings or to bring higher levels of sustainability to existing buildings, says ZGF's Berg. "Energy generation is really the second step," she says. "The first step is to reduce the amount of energy the building needs." For starters, that means state-of-the-art insulation to keep heat in or out and efficient LED lighting—steps that are now the rule in new buildings and being retrofitted into many older ones. Further reductions are being made with special design features for managing sunlight and ventilation. For example, these features were instrumental in achieving the low energy needs of the new California Air Resources Board headquarters building designed by ZGF. To maintain comfortable indoor temperatures, motorized shades regulate sunlight entering the building through its giant skylights, and fans move air from cooler to warmer areas. To go even further, notes Berg, some buildings are now being designed to capture prevailing winds as natural ventilation systems.



ENERGY PRODUCER Trondheim's Powerhouse Brattørkaia, above. A bird's-eye view of solar panels on the building's roof, opposite.

Building Smarter

Electronic smarts are playing an increasingly large role in ultra-sustainability, too, both in a wide range of new buildings and in updating older buildings. Often at the heart of smart building systems are sensors that track where people are in a building—and where they aren't. "The heating and cooling systems can find out there's nobody on the fourth floor, and dramatically cut back on the heated or cooled air that's being sent there, as well as on the lighting," says Katie McGinty, chief sustainability officer at Johnson Controls, which produces smart building systems. "Cars today are computers on wheels, but until now too little of that digitization has made its way into buildings."

In addition, smart buildings, whether old or new, can monitor minute-to-minute price changes on the electric power grid and adjust heating and cooling timing to take advantage of dips and spikes in the price. As more building occupants plug in electric vehicles, notes McGinty, the buildings can even look for opportunities to sell some of the available battery power in the EVs back to the grid at peak prices, recharging them when prices drop. And if there's solar power onsite, a building can work that into the mix, too, storing some of the solar electricity in batteries when it's sunny, and using it or selling it to the grid when it's cloudy or prices go back up.

Because adding highly efficient solar panels, heat pumps and insulation enables new and retrofitted buildings to generate more green energy than they consume, they're in a position to provide the excess to others. Many already do that by selling the excess to the grid, helping the grid reach its own renewable energy goals. Increasingly, buildings are striking deals that enable more direct green-energy sharing with neighboring buildings and facilities, as the Powerhouse building in Trondheim did.

As prices continue to fall, ultra-sustainability measures are expected to continue to gain ground among developers of all sizes and budgets, making buildings more of a climate asset than a liability.

▸ **David H. Freedman** *is a freelance science journalist and author. Follow him on X @dhfreedman*

September 28, 2023

City of Madison Plan Commission
210 Martin Luther King Jr. Blvd.
Madison, WI 53703

Re: GFLU Map Amendment Request – 3978 Schewe Road and 10122 White Fox Lane

Dear Members of the City of Madison Plan Commission:

I am writing again to ask for your support for an amendment to the Generalized Future Land Use (GFLU) map for a six-acre property that I own at the northeast quadrant of the intersection of White Fox Lane and Schewe Road on the Far West Side of Madison (the street address of this site is 3978 Schewe Road and 10122 White Fox Lane). My Amendment Request was listed as #1, 2 and 3 on the list of amendment requests that the City's planning staff received and published on the City's website. I previously submitted a letter to the Plan Commission and also spoke during public comments at the Plan Commission meeting on September 7, 2023. My letter to the Commission was included as Attachment #8 (Public Comment 9-3-23) if you care to review it.

At the Plan Commission meeting on September 7th, several Commissioners expressed interest in discussing my Amendment request at the follow-up meeting on September 18th. At that meeting, Brian Grady of the City's planning staff, when discussing our property, seemed to be open to the idea of changing the GFLU designation from its current "Low Residential" status to the "Low-Medium Residential" category. While I had previously requested that a portion of our site also be changed to "Medium Residential" on the GFLU map, I now agree with Mr. Grady that the Low-Medium Residential designation is probably more appropriate for this property given the context of the site near newly built single-family homes in the adjacent Eagle Trace and Chapel View subdivisions.

For your reference, I have attached a copy of three maps included in the 2018 Elderberry Neighborhood Plan Amendment found on the City's website. Our property is shown on these three maps highlighted in bright green.

The first map shows major streets in the Elderberry Neighborhood, listed as either "Arterials" (which are Old Sauk Road to the North, Mineral Point Road to the South, and Pleasant View Road to the East), or as "Collectors", which feed into the Arterials from smaller neighborhood streets. As noted on this map, both White Fox Lane and Schewe Road are shown as Collector Streets, and our property is bordered by both. Almost every other similar intersection of two Collector Streets in the Elderberry Neighborhood has an area of "Low-Medium" or "Medium" Residential directly adjacent to it at that intersection, so there is clear precedent for our request for Low-Medium Residential at our site. Also, our property on Schewe Road is the closest area to the newly built Pope Farm Elementary which opened in 2020 (after the most recent Comprehensive Plan was approved in 2018), making this a very walkable location to the school for multifamily residents who can't afford the single-family homes in the neighborhood, which are now valued between $500,000 and $1+ million within a 1-mile radius of our property.

The second map shows existing and planned bike paths that run through the neighborhood. Again, our property (highlighted in bright green) is completely surrounded by bike paths which actually now exist, making the location very accessible to the Pope Farm Elementary School as well as other nearby recreational amenities including Eagle Trace Park, Pope Farm Conservancy, and Pioneer Park.

The third map shows "Potential Transit Routes" and "Potential Transit Streets" in the Elderberry Neighborhood. As indicated, Schewe Road is shown as a "Potential Transit Street". While I recognize that it may be years before public transit extends to this location, it is important to recognize that this location at the intersection of two Collector streets may one day in the future have transit access and therefore is appropriate for higher density than the "Low Residential" category.

Finally, I'd like to point out that to the west of our property, the intergovernmental agreement between the City of Madison and the Town of Middleton prohibits density greater than 4 housing units per acre within a quarter mile of Pioneer Road. In other words, it will be impossible to add any significant density in this area of the Elderberry Neighborhood west of our property in the future.

At a time when the City of Madison is suffering from a severe shortage of affordable housing options for its rapidly growing population, the City should be looking for locations exactly like our property where increased density makes the most sense. Instead, it seems that the Planning staff is content to wait another five years for the next Comprehensive Plan update before seriously considering a change to our site's GFLU category. They make the argument that since the Elderberry Neighborhood Plan was last updated in 2018, it is too early to make any changes like we have requested.

I truly appreciate the work that the City's professional planning staff produces every day, but I reject that approach. If anything, I believe that the peripheral areas of the City should be reviewed much more frequently than every 5 or 10 years, since these are the areas of the City where open land still exists and can more quickly be adapted to the changing needs of the City. Accordingly, I am asking you to support our request for an amendment to the GFLU map by recommending a change to the "Low-Medium" residential category for our six-acre parcel. I would also welcome you to visit the property and surrounding neighborhood to see for yourself why this requested Amendment for "Low-Medium" Residential makes perfect sense, especially in the context of the rapid growth and diminishing availability of sites like this to provide much needed middle-income housing in the City.

Thank you very much for your consideration, and please feel free to reach out to me with any questions or comments.

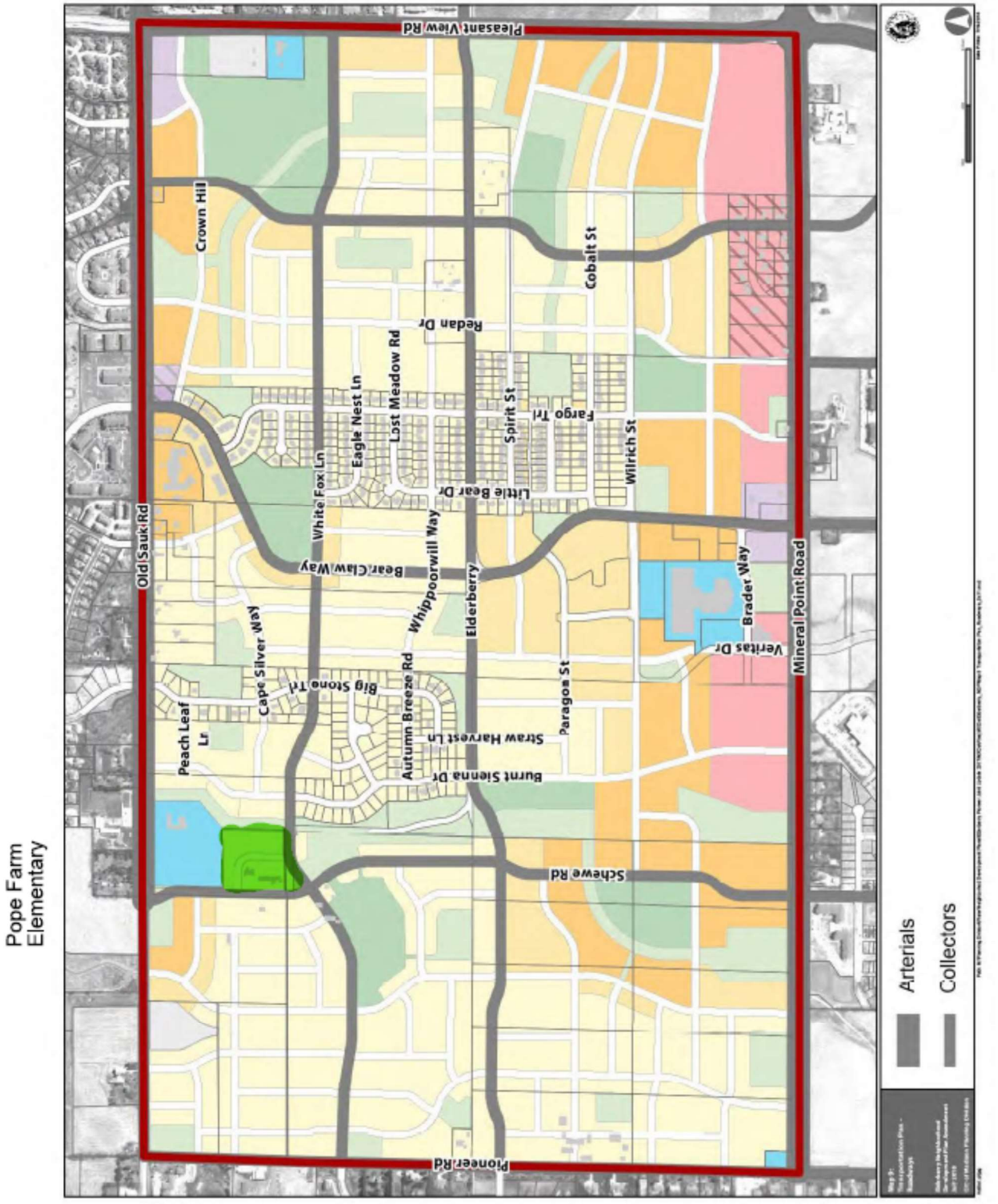
Sincerely,

Randall Eggert

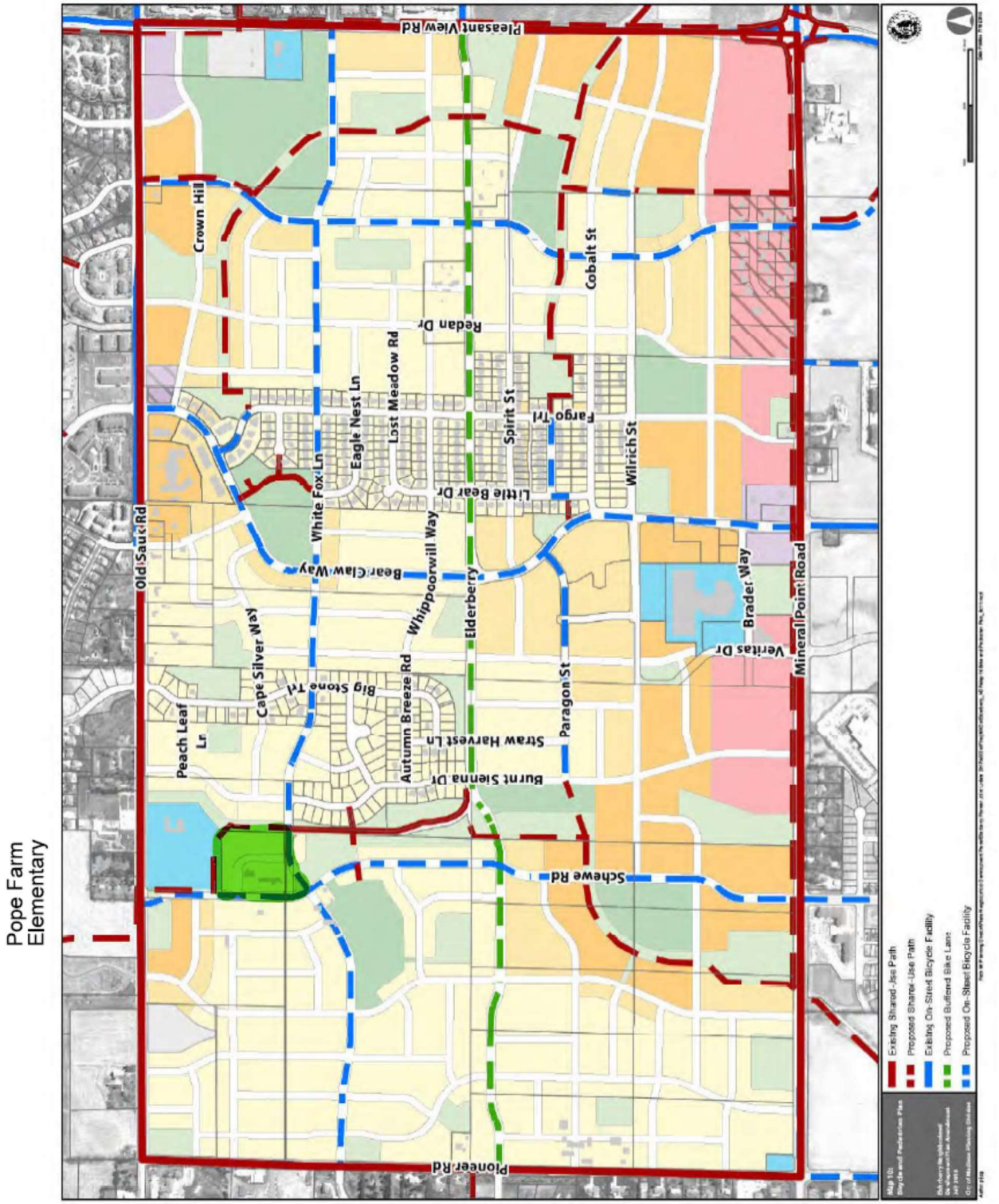
3978 Schewe Road
Middleton, WI 53562
karirand@yahoo.com

cc: Heather Stouder, City of Madison Planning Division Director
Brian Grady, City of Madison Principal Planner
Kirstie Laatsch, City of Madison Planner

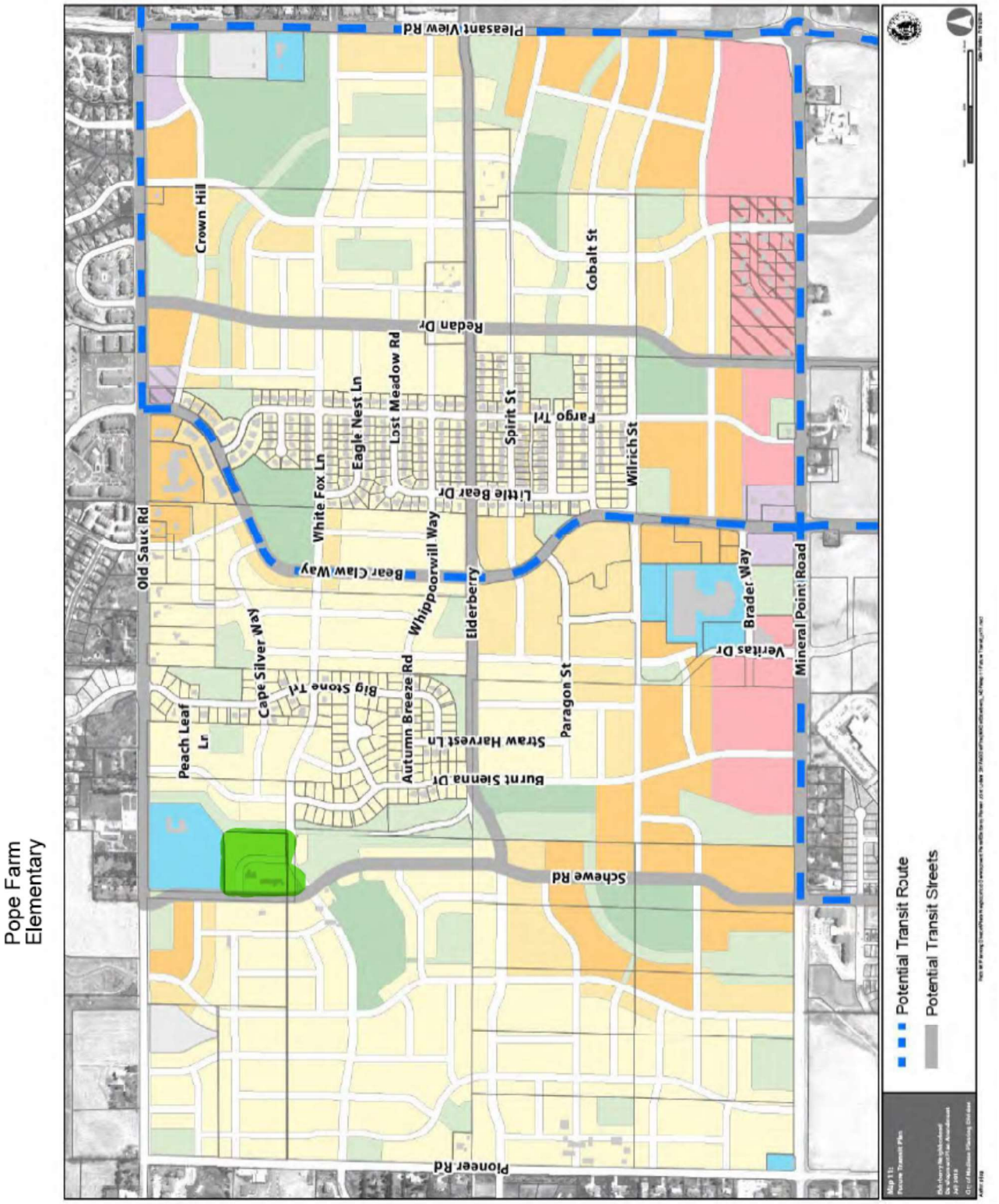
Arterials and Collector Streets – 2018 Elderberry Neighborhood Plan



Bicycle and Pedestrian Plan – 2018 Elderberry Neighborhood Plan



Future Transit Plan – 2018 Elderberry Neighborhood Plan



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80329

File ID:	80329	**File Type:**	Ordinance	**Status:**	Council Public Hearing
Version:	2	**Reference:**		**Controlling Body:**	PLAN COMMISSION
				File Created Date :	10/10/2023
File Name:	West Gorham, West Johnson, N Broom Rezone			**Final Action:**	

Title: SUBSTITUTE: Creating Section 28.022-00646 of the Madison General Ordinances to change the zoning of property located at 405-407 & 311 West Gorham Street, 408-430 West Johnson Street, 304-318 North Broom Street, 4th Alder District, from PD (Planned Development) District, CN (Conservancy) District, and UMX (Urban Mixed-Use) District to UMX (Urban Mixed-Use) District. (District 4)

Notes: 6802GorhamJohnsonBroomRZ

Sponsors:	Planning Division	**Effective Date:**	
Attachments:	West Gorham, West Johnson, North Broom Rezone, Link to Demo File 79966, Link to Ord File 80308, Link to Cond Use File 79967, Link to CSM File 79992, Link to Land Use Restriction File 80423, West Gorham, West Johnson, N Broom Rezone - Version 1	**Enactment Number:**	
Author:	Kate Smith	**Hearing Date:**	
Entered by:	mglaeser@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	10/10/2023	Referred for Introduction				
	Action Text:	This Ordinance was Referred for Introduction					
	Notes:	Plan Commission (Public Hearing - 11/13/23), Common Council (11/21/23)					
1	COMMON COUNCIL	10/17/2023	Referred for Public Hearing	PLAN COMMISSION		11/13/2023	
	Action Text:	This Ordinance was Referred for Public Hearing to the PLAN COMMISSION					
2	PLAN COMMISSION	11/13/2023	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING				Pass
	Action Text:	A motion was made by Figueroa Cole, seconded by Field, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.					
	Notes:	On a motion by Ald. Figueroa Cole, seconded by Ald. Field, the Plan Commission found the standards met and recommended approval of the zoning map amendment to the Common Council. The motion to recommend					

approval passed by voice vote/ other.

Text of Legislative File 80329

Fiscal Note

No City appropriation required.

Title

SUBSTITUTE: Creating Section 28.022-00646 of the Madison General Ordinances to change the zoning of property located at 405-407 & 311 West Gorham Street, 408-430 West Johnson Street, 304-318 North Broom Street, 4th Alder District, from PD (Planned Development) District, CN (Conservancy) District, and UMX (Urban Mixed-Use) District to UMX (Urban Mixed-Use) District. (District 4)

Body

DRAFTER'S ANALYSIS: This ordinance amendment rezones property located at 408-430 West Johnson Street, 304-318 North Broom Street from PD (Planned Development) and UMX (Urban Mixed-Use) District to UMX (Urban Mixed-Use) District to construct an 8- to 14-story, 459-unit apartment building.

****

The Common Council of the City of Madison do hereby ordain as follows:

1. Map Amendment 00646 of Section 28.022 of the Madison General Ordinances is hereby created to read as follows:

“28.022-00646. The following described property is hereby rezoned to UMX (Urban Mixed-Use) District.

Part of Lots 4, 8, 9 and 15, Block 40 and all of Lots 5, 10, 11, 12, 13 and 14, Block 40, Original (Prichette) Plat of Madison, located in the Northwest Quarter of the Northeast Quarter of Section 23, T7N, R9E, City of Madison, Dane County, Wisconsin, more fully described as follows:

Commencing at the North Quarter Corner of said Section 23; thence S88°46'41"E, along the North line of the Northeast Quarter of said Section 23, a distance of 352.04 feet; thence S01°13'19"W, 359.41 feet to the southeasterly right-of-way line of West Gorham Street and the Point of Beginning of this description; thence N52°35'38"E, along said southeasterly right-of-way line, 17.55 feet to a point of curvature; thence 135.03 feet along said right-of-way line and the arc of a curve to the right having a radius of 90.00 feet and a chord bearing S86°09'26"E, 122.71 feet; thence S43°41'10"E, along the southwesterly right-of-way line of North Broom Street, 168.71 feet to the intersection with the northwesterly right-of-way line of West Johnson Street; thence S45°38'32"W, along said northwesterly right-of-way line, 365.14 feet; thence N43°35'15"W, 135.09 feet; thence N43°46'43"W, 135.19 feet to the aforementioned southeasterly right-of-way line of West Gorham Street; thence N46°37'05"E, along said southeasterly right-of-way line, 99.42 feet; thence S43°45'55"E, 134.54 feet; thence N46°13'00"E, 165.90 feet; thence N43°59'58"W, 129.89 feet to said southeasterly right-of-way line of West Gorham Street and the Point of Beginning. Said description contains 73,127 square feet or 1.679 acres, more or less.”

EDITOR'S NOTE:

Working Title: "Creating Section 28.022-00646 of the Madison General Ordinances to change the zoning of property located at 405-407 & 311 West Gorham Street, 408-430 West Johnson Street, 304-318 North Broom Street, 4th Alder District, from PD (Planned Development) District, CN (Conservancy) District, and UMX (Urban Mixed-Use) District to UMX (Urban Mixed-Use) District. (District 4)"

REQUEST FOR AMENDMENT TO THE MADISON GENERAL ORDINANCES

TO: Michael R. Haas, City Attorney

Proposed/Current Section No. _____

Amendment: x

FROM: Tim Parks, Planning Division

Repeal: _____

Creation: _____

Please draft the following ordinance:

Note: Is this ordinance exempt from the provisions of Section 2.05(4)?

_____ If so, **circle** the appropriate paragraph number under which exemption is claimed. [1, 2, 3, 4, 5, 6, 7, 8, 9]

_____ If not, the signature of the Mayor or the Alderperson who will sponsor this ordinance is required below.

See Attachment(s): ____

Date to be Presented: 17 October 2023

Referral(s): PC: 13 November 2023; CC: 21 November 2023

Fiscal Note: No Fiscal Impact

Sponsor(s): Planning Division

When completed:

Send DRAFT to: Tim Parks (original will be held until otherwise notified)

Send copy to: _____

Note: Unless otherwise indicated, this ordinance will be submitted directly to Common Council.

If request is to rezone property, the following additional information must be furnished before the ordinance can be drafted:

Rezone following property:

Address 405-407 & 431 W Gorham St; 408-430 W Johnson St; 304-318 N Broom St Aldermanic District 4

From PD, CN and UMX District To UMX District

Proposed Use: Rezone to construct 8- to 14-story, 459-unit apartment building

Has this property previously been rezoned? Yes _____ No _____ Ordinance Number: _____

If yes, please give the following information: Date: _____

Sponsorship Approval: _____ Date: 10 October 2023

REQUEST FOR AMENDMENT TO THE MADISON GENERAL ORDINANCES

TO: Michael R. Haas, City Attorney

Proposed/Current Section No. _____

Amendment: x

FROM: Tim Parks, Planning Division

Repeal: _____

Creation: _____

Please draft the following ordinance:

Note: Is this ordinance exempt from the provisions of Section 2.05(4)?

_____ If so, **circle** the appropriate paragraph number under which exemption is claimed. [1, 2, 3, 4, 5, 6, 7, 8, 9]

_____ If not, the signature of the Mayor or the Alderperson who will sponsor this ordinance is required below.

See Attachment(s): ____

Date to be Presented: 17 October 2023

Referral(s): PC: 13 November 2023; CC: 21 November 2023

Fiscal Note: No Fiscal Impact

Sponsor(s): Planning Division

When completed:

Send DRAFT to: Tim Parks (original will be held until otherwise notified)

Send copy to: _____

Note: Unless otherwise indicated, this ordinance will be submitted directly to Common Council.

If request is to rezone property, the following additional information must be furnished before the ordinance can be drafted:

Rezone following property:

Address 405-407 & 431 W Gorham St; 408-430 W Johnson St; 304-318 N Broom St Aldermanic District 4

From PD and UMX District To UMX District

Proposed Use: Rezone to construct 8- to 14-story, 459-unit apartment building

Has this property previously been rezoned? Yes _____ No _____ Ordinance Number: _____

If yes, please give the following information: Date: _____

Sponsorship Approval: _____ Date: 10 October 2023

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80330

File ID:	80330	**File Type:**	Ordinance	**Status:**	Council Public Hearing
Version:	1	**Reference:**		**Controlling Body:**	PLAN COMMISSION
				File Created Date :	10/10/2023
File Name:	Packers Avenue Rezone			**Final Action:**	

Title: Creating Section 28.022-00647 of the Madison General Ordinances to change the zoning of property located at 4510-4514 Packers Avenue, 18th Alder District, from A (Agricultural) District to SR-C3 (Suburban Residential-Consistent 3) District. (District 18)

Notes: 6803PackersRZ

Sponsors:	Planning Division	**Effective Date:**	
Attachments:	4510-4514 Packers Ave, Link to CSM File 80003	**Enactment Number:**	
Author:	Kate Smith	**Hearing Date:**	
Entered by:	mglaeser@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	10/10/2023	Referred for Introduction				
	Action Text:	This Ordinance was Referred for Introduction					
	Notes:	Plan Commission (Public Hearing - 11/13/23), Common Council (11/21/23)					
1	COMMON COUNCIL	10/17/2023	Referred for Public Hearing	PLAN COMMISSION	11/13/2023		
	Action Text:	This Ordinance was Referred for Public Hearing to the PLAN COMMISSION					
1	PLAN COMMISSION	11/13/2023	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING				Pass
	Action Text:	A motion was made by Heck, seconded by Figueroa Cole, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.					
	Notes:	On a motion by Heck, seconded by Ald. Figueroa Cole, the Plan Commission found the standards met and recommended approval of the zoning map amendment to the Common Council. The motion to recommend approval passed by voice vote/ other.					

Text of Legislative File 80330

Fiscal Note

No City appropriation required.

Title

Creating Section 28.022-00647 of the Madison General Ordinances to change the zoning of property located at 4510-4514 Packers Avenue, 18th Alder District, from A (Agricultural) District to SR-C3 (Suburban Residential-Consistent 3) District. (District 18)

Body

DRAFTER'S ANALYSIS: This ordinance amendment rezones property located at 4510-4514 Packers Avenue from A (Agricultural) District to SR-C3 (Suburban Residential-Consistent 3) District to allow the division of a parcel containing two existing residences.

****

The Common Council of the City of Madison do hereby ordain as follows:

1. Map Amendment 00647 of Section 28.022 of the Madison General Ordinances is hereby created to read as follows:

“28.022-00647. The following described property is hereby rezoned to SR-C3 (Suburban Residential-Consistent 3) District.

Part of the Northeast 1/4 of the Southwest 1/4, Section 19, T8N, R10E, City of Madison, Dane County, Wisconsin more fully described as follows:
Commencing at the South ¼ corner of Section 19, thence N01°40’26”E, 1970.70 feet along the East line of the Southwest ¼ of Section 19; thence N88°03’38”W, 60.00 feet to the point of beginning; thence N88°03’38”W, 181.81 feet to the East line of Outlot 2, Whitetail Ridge; thence N01°36’44”E, 194.50 feet along said East line of Outlot 2; thence S88°08’10”E, 182.02 feet; thence S01°40’26”E, 194.73 feet to the point of beginning. Containing 35,402 square feet or 0.812 acres.”

REQUEST FOR AMENDMENT TO THE MADISON GENERAL ORDINANCES

TO: Michael R. Haas, City Attorney

Proposed/Current Section No. _____

Amendment: x

FROM: Tim Parks, Planning Division

Repeal: _____

Creation: _____

Please draft the following ordinance:

Note: Is this ordinance exempt from the provisions of Section 2.05(4)?

_____ If so, **circle** the appropriate paragraph number under which exemption is claimed. [1, 2, 3, 4, 5, 6, 7, 8, 9]

_____ If not, the signature of the Mayor or the Alderperson who will sponsor this ordinance is required below.

See Attachment(s): ____

Date to be Presented: 17 October 2023

Referral(s): PC: 13 November 2023; CC: 21 November 2023

Fiscal Note: No Fiscal Impact

Sponsor(s): Planning Division

When completed:

Send DRAFT to: Tim Parks (original will be held until otherwise notified)

Send copy to: _____

Note: Unless otherwise indicated, this ordinance will be submitted directly to Common Council.

If request is to rezone property, the following additional information must be furnished before the ordinance can be drafted:

Rezone following property:

Address 4510-4514 Packers Avenue Aldermanic District 18

From A District To SR-C3 District

Proposed Use: Rezone two existing residences to allow land division

Has this property previously been rezoned? Yes _____ No _____ Ordinance Number: _____

If yes, please give the following information: Date: _____

Sponsorship Approval: _____ Date: 10 October 2023

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80331

File ID:	80331	**File Type:**	Ordinance	**Status:**	Council Public Hearing
Version:	1	**Reference:**		**Controlling Body:**	PLAN COMMISSION
				File Created Date :	10/10/2023
File Name:	Lien Road Rezone			**Final Action:**	

Title: Creating Section 28.022-00648 of the Madison General Ordinances to change the zoning of property located at 5803 Lien Road, 17th Alder District, from Temp. A (Temporary-Agricultural) District to TR-P (Traditional Residential-Planned) District. (District 17)

Notes: 6804LienRZ

Sponsors:	Planning Division	**Effective Date:**	
Attachments:	5803 Lien Road, Link to Plat File 79968	**Enactment Number:**	
Author:	Kate Smith	**Hearing Date:**	
Entered by:	mglaeser@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	10/10/2023	Referred for Introduction				
	Action Text:	This Ordinance was Referred for Introduction					
	Notes:	Plan Commission (Public Hearing - 11/13/23), Common Council (11/21/23)					
1	COMMON COUNCIL	10/17/2023	Referred for Public Hearing	PLAN COMMISSION	11/13/2023		
	Action Text:	This Ordinance was Referred for Public Hearing to the PLAN COMMISSION					
1	PLAN COMMISSION	11/13/2023	RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - PUBLIC HEARING				Pass
	Action Text:	A motion was made by Heck, seconded by Figueroa Cole, to RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - PUBLIC HEARING. The motion passed by voice vote/other.					
	Notes:	On a motion by Heck, seconded by Ald. Figueroa Cole, the Plan Commission found the standards met and recommended approval of the zoning map amendment and TR-P master plan to the Common Council subject to the comments and conditions in the Plan Commission materials. The motion to recommend approval passed by voice vote/ other.					

Text of Legislative File 80331

Fiscal Note

No City appropriation required.

Title

Creating Section 28.022-00648 of the Madison General Ordinances to change the zoning of property located at 5803 Lien Road, 17th Alder District, from Temp. A (Temporary-Agricultural) District to TR-P (Traditional Residential-Planned) District. (District 17)

Body

DRAFTER'S ANALYSIS: This ordinance amendment rezones property located at 5803 Lien Road from Temp. A (Temporary-Agricultural) District to TR-P (Traditional Residential-Planned) District for proposed East Meadow Estates residential subdivision.

****

The Common Council of the City of Madison do hereby ordain as follows:

1. Map Amendment 00648 of Section 28.022 of the Madison General Ordinances is hereby created to read as follows:

“28.022-00648. The following described property is hereby rezoned to TR-P (Traditional Residential-Planned) District.

Lot 1, Certified Survey Map 13765, City of Madison, Dane County, Wisconsin. Said parcel contains 1,150,763 square feet or 26.42 acres.”

REQUEST FOR AMENDMENT TO THE MADISON GENERAL ORDINANCES

TO: Michael R. Haas, City Attorney

Proposed/Current Section No. _____

Amendment: x

FROM: Tim Parks, Planning Division

Repeal: _____

Creation: _____

Please draft the following ordinance:

Note: Is this ordinance exempt from the provisions of Section 2.05(4)?

_____ If so, **circle** the appropriate paragraph number under which exemption is claimed. [1, 2, 3, 4, 5, 6, 7, 8, 9]

_____ If not, the signature of the Mayor or the Alderperson who will sponsor this ordinance is required below.

See Attachment(s): ____

Date to be Presented: 17 October 2023

Referral(s): PC: 13 November 2023; CC: 21 November 2023

Fiscal Note: No Fiscal Impact

Sponsor(s): Planning Division

When completed:

Send DRAFT to: Tim Parks (original will be held until otherwise notified)

Send copy to: _____

Note: Unless otherwise indicated, this ordinance will be submitted directly to Common Council.

If request is to rezone property, the following additional information must be furnished before the ordinance can be drafted:

Rezone following property:

Address 5803 Lien Road Aldermanic District 17

From Temp. A District To TR-P District

Proposed Use: Rezone for proposed East Meadow Estates residential subdivision

Has this property previously been rezoned? Yes _____ No _____ Ordinance Number: _____

If yes, please give the following information: Date: _____

Sponsorship Approval: _____ Date: 10 October 2023

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80332

File ID:	80332	**File Type:**	Ordinance	**Status:**	Council Public Hearing
Version:	1	**Reference:**		**Controlling Body:**	PLAN COMMISSION
				File Created Date :	10/10/2023
File Name:	Wright Street Rezone			**Final Action:**	

Title: Creating Section 28.022-00649 of the Madison General Ordinances to change the zoning of property located at 1849 Wright Street, 12th Alder District, from IL (Industrial-Limited) District to CI (Campus Institutional) District. (District 12)

Notes: 6805WrightRZ

Sponsors:	Planning Division	**Effective Date:**	
Attachments:	1849 Wright Street, Staff Comments	**Enactment Number:**	
Author:	Kate Smith	**Hearing Date:**	
Entered by:	mglaeser@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	10/10/2023	Referred for Introduction				
	Action Text:	This Ordinance was Referred for Introduction					
	Notes:	Plan Commission (Public Hearing - 11/13/23), Common Council (11/21/23)					
1	COMMON COUNCIL	10/17/2023	Referred for Public Hearing	PLAN COMMISSION		11/13/2023	
	Action Text:	This Ordinance was Referred for Public Hearing to the PLAN COMMISSION					
1	PLAN COMMISSION	11/13/2023	RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - PUBLIC HEARING				Pass
	Action Text:	A motion was made by Heck, seconded by Figueroa Cole, to RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - PUBLIC HEARING. The motion passed by voice vote/other.					
	Notes:	On a motion by Heck, seconded by Ald. Figueroa Cole, the Plan Commission found the standards met and recommended approval of the zoning map amendment to the Common Council subject to the comments and conditions in the Plan Commission materials. The motion to recommend approval passed by voice vote/ other.					

Text of Legislative File 80332

Fiscal Note

No City appropriation required.

Title

Creating Section 28.022-00649 of the Madison General Ordinances to change the zoning of property located at 1849 Wright Street, 12th Alder District, from IL (Industrial-Limited) District to CI (Campus Institutional) District. (District 12)

Body

DRAFTER'S ANALYSIS: This ordinance amendment rezones property located at 1849 Wright Street from IL (Industrial-Limited) District to CI (Campus Institutional) District for the Madison College 'North Building' parcel.

****

The Common Council of the City of Madison do hereby ordain as follows:

1. Map Amendment 00649 of Section 28.022 of the Madison General Ordinances is hereby created to read as follows:

"28.022-00649. The following described property is hereby rezoned to CI (Campus Institutional) District.

Lot 3, Certified Survey Map 12648, City of Madison, Dane County, Wisconsin. Said parcel contains 493,003 square feet or 11.32 acres."

REQUEST FOR AMENDMENT TO THE MADISON GENERAL ORDINANCES

TO: Michael R. Haas, City Attorney

Proposed/Current Section No. _____

Amendment: x

FROM: Tim Parks, Planning Division

Repeal: _____

Creation: _____

Please draft the following ordinance:

Note: Is this ordinance exempt from the provisions of Section 2.05(4)?

_____ If so, **circle** the appropriate paragraph number under which exemption is claimed. [1, 2, 3, 4, 5, 6, 7, 8, 9]

_____ If not, the signature of the Mayor or the Alderperson who will sponsor this ordinance is required below.

See Attachment(s): ____

Date to be Presented: 17 October 2023

Referral(s): PC: 13 November 2023; CC: 21 November 2023

Fiscal Note: No Fiscal Impact

Sponsor(s): Planning Division

When completed:

Send DRAFT to: Tim Parks (original will be held until otherwise notified)

Send copy to: _____

Note: Unless otherwise indicated, this ordinance will be submitted directly to Common Council.

If request is to rezone property, the following additional information must be furnished before the ordinance can be drafted:

Rezone following property:

Address 1849 Wright Street Aldermanic District 12

From IL District To CI District

Proposed Use: Rezoning Madison College 'North Building' parcel

Has this property previously been rezoned? Yes _____ No _____ Ordinance Number: _____

If yes, please give the following information: Date: _____

Sponsorship Approval: _____ Date: 10 October 2023

PLANNING DIVISION STAFF REPORT

November 13, 2023

PREPARED FOR THE PLAN COMMISSION

Project Address: **1849 Wright Street** (12th Alder District, Ald. Latimer Burris)

Application Type: Zoning Map Amendment

Legistar File ID # 80332

Prepared By: Chris Wells, Planning Division
Report includes comments from other City agencies, as noted

Reviewed By: Kevin Firchow, AICP, Principal Planner, Planning Division

Summary

Applicant & Contact: Drew Martin; Strang, Inc.; 811 E Washington Avenue, Suite 200; Madison, WI 53703

Property Owner: Madison College (Fred Brechlin); 1701 Wright Street; Madison, WI 53704

Requested Action: Consideration of a request to rezone 1849 Wright Street from the IL (Industrial – Limited) District to the CI (Campus-Institutional) District to allow a portion of the existing building to be remodeled and used by the Madison College.

Proposal Summary: The applicant proposes to renovate the 34,500-square-foot northwestern portion of the building and reclad the exterior to match the architectural style and palette of materials of the adjacent Madison College campus. The site is also proposed to be rezoned from the IL (Industrial – Limited) District into the CI (Campus-Institutional) District in order to match the campus. No Campus Master Plan is required as the proposal is considered to be an addition to the CI-zoned, Madison College parcel to the south. Note: No outdoor construction yard is being proposed at this time. That would require a conditional use approval.

Applicable Regulations & Standards: Section 28.182 of the Zoning Code provides the process for zoning map amendments. It is also subject to MGO Section 28.097 which pertains to the Campus-Institutional District.

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

Summary Recommendation: The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022-00649, rezoning 1849 Wright Street from the IL (Industrial – Limited) District to CI (Campus-Institutional) District to the Common Council with a recommendation of **approval**, to allow a portion of the existing building to be remodeled and used by the Madison College. This recommendation is subject to input at the public hearing, and the conditions from reviewing agencies beginning on page 4 of this report.

Background Information

Parcel Location: The subject site is a 493,000-square-foot (11.3-acre) lot with frontage along both Wright Street and N Stoughton Road (US Highway 51). It takes access from Wright Street. It is located within Alder District 12 (Ald. Latimer Burris) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site is currently developed with a partial two-story, roughly 101,500-square-foot building. The majority of the rest of the site is paved with surface parking to the west and south of the building.

Surrounding Land Uses and Zoning:

North: One-story manufacturing, warehouse and office buildings, zoned IL (Industrial-Limited) District;

East: Across N Stoughton Road (US Highway 51) is the City of Madison's men's Bartillon Homeless Shelter, zoned CC (Commercial Center) District, and a one-story office building, zoned CC-T (Commercial Corridor – Transitional) District;

South: Madison College's Truax Child and Family Center and parking for Madison College faculty and staff. Beyond is the Madison College Truax Campus. All are zoned CI (Campus-Institutional) District; and

West: Across Wright Street are warehouses, zoned IL.

Adopted Land Use Plans: The Comprehensive Plan (2018) and Hawthorne-Truax Neighborhood Plan (2023) both recommend Special Institutional (SI) uses for the subject site.

Environmental Corridor Status: There are no environmental corridors on the subject site.

Public Utilities and Services: The site is served by a full range of urban services. Metro Transit currently operates weekday transit service along Wright Street. Bus stops with passenger waiting shelters and benches are just south of the project site, at the mid-block pedestrian crosswalk that is north of Anderson Road. Additional stops are to the north, at the Kinsman Boulevard intersection with Wright Street.

Zoning Summary: The site is proposed to be rezoned into the CI (Campus-Institutional) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	493,003 sq. ft.
Lot Width	50'	>50'
Front Yard Setback	0' or 5'	Adequate
Side Yard Setback	0'	Adequate
Rear Yard Setback	0'	Adequate
Maximum Lot Coverage	85%	71.3%
Minimum Building Height: TOD	2 stories	2 story existing building
Maximum Building Height	3 stories/ 68'	2 story existing building

Site Design	Required	Proposed
Number Parking Stalls	No minimum required: TOD	91 new stalls 303 total stalls *(See Comment #8)*
Electric Vehicle Stalls	EV: 1% (1) EV Ready: 10% (9)	None *(See Comment #9)*
Accessible Stalls	Yes	8
Loading	Not required	Existing and proposed loading spaces
Number Bike Parking Stalls	Colleges, universities: 1 per classroom and 1 per 5 students (TBD)	None *(See Comment #10)*
Landscaping and Screening	Yes	No *(See Comments #11, #12, #13)*
Lighting	Yes	Yes
Building Form and Design	Not required	Existing building

Other Critical Zoning Items:	Urban Design (Public Building); Barrier Free (ILHR 69); Utility Easements; TOD Overlay

Tables Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Project Description

The applicant is requesting approval of a rezoning request, rezoning the 1849 Wright Street parcel from IL (Industrial – Limited) District to CI (Campus-Institutional) District in order to allow a portion of the existing building to be remodeled and used by the Madison College.

This zoning designation would match that of the large Madison College Truax Campus which abuts the parcel to the south. While MGO Section 28.097(2)(a) states "*Any Campus Institutional District created after the effective date of this ordinance shall submit a Campus Master Plan, which shall be approved as part of the map amendment*", the City's Zoning Administrator has determined that this proposal is not considered to be a *new* Campus-Institutional District but rather an *addition* to the existing CI-zoned, Madison College parcel to the south.

The applicant proposes to renovate the 34,500-square-foot northwestern portion of the building (labeled Buildings 'A' and 'B' on the submitted materials). (The eastern half of the building - labelled as Buildings 'C' to 'G' on the submitted plans - is not within the scope of the aforementioned not currently proposed for any interior or exterior changes.). Interior spaces will be reconfigured and converted into space for workshops, classrooms, office, storage, etc. This portion of building will also be reclad to better match the general palette of materials and colors of the adjacent Madison College Truax Campus. Medium brown-colored brick veneer and a light grey prefinished metal siding will be used.

Note: No outdoor construction yard is being proposed at this time. That would require a conditional use approval.

Analysis and Conclusion

This proposal is subject to the approval standards for Zoning Map Amendments [MGO Section 28.182(6)]. It is also subject to MGO Section 28.097 which pertains to the Campus-Institutional District.

Conformance with Adopted Plans

The Comprehensive Plan (2018) and Hawthorne-Truax Neighborhood Plan (2023) both recommend Special Institutional (SI) uses for the subject site. Given the fact that the building will be used by Madison College (for its Construction and Remodeling program), the Planning Division believes the project plans are consistent with this recommendation.

Zoning Map Amendment Standards

Staff believes that the Zoning Map Amendment standards can be found met. These standards state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City's Comprehensive Plan. 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan." Staff believes that the project is consistent with the Comprehensive Plan, as noted above.

Urban Design Commission

The UDC is an approving body on this request. They granted the proposal final approval on November 1, 2023 with the following advisory recommendations (which have been included here for reference):

- The chain link fence shall be powder coated and include banners for screening.
- That landscaping be added to the foundation of the building along the front elevation in-lieu of existing hardscape.

Public Input

At the time of report writing, staff has not received any comments on the proposed request.

Conclusion

The Planning Division believes that the standards for Zoning Map Amendments can be found met with this proposal. Given the fact that the building will be used by Madison College (for its Construction and Remodeling program), the Planning Division believes the project plans are consistent with the Comprehensive Plan's recommendation of Special Institutional (SI) uses for the subject site.

Recommendation

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

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022-00649, rezoning 1849 Wright Street from the IL (Industrial – Limited) District to CI (Campus-Institutional) District to the Common Council with a recommendation of **approval**, to allow a portion of the existing building to be remodeled and used by the Madison College. This recommendation is subject to input at the public hearing, and the conditions that follow.

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

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

1. The applicant has indicated that the construction yard component is being removed and is not part of this request.

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

2. The water main easements cited and shown on the plans per Doc No 1955754, Doc No 5633851 (CSM 12648) and Doc No 1390227 (CSM 1389) have all been released and new easement areas granted by Document No. 5633851. Revise the site plans accordingly.

3. It is noted a hydrant and lead are to be relocated along the northerly side of the parking lot and the easement area released. Upon approval by the Water Utility and fire, provide a map exhibit, legal description and administrative fees to Jeff Quamme (jrquamme@cityofmadison.com) to set up the necessary Real Estate project for the release of the easement area and granting of any additional easement area that may be necessary.

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

4. The applicant shall provide a clearly defined 5' 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.

5. The applicant shall mark crosswalks where their pedestrian walkway crosses drive aisles

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

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

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

7. Per Section 28.097(2)(d), in a Campus-Institutional District without a Campus Master Plan, the establishment, improvement, or modification of any primary or secondary use occurring outside of an enclosed building shall require conditional use approval.

8. Show the parking stalls for the existing parking lot located south of the building.

9. Provide electric vehicle stalls per Section 28.141(8)(e) Electric Vehicle Charging Station Requirements. A minimum of 10% of the parking stalls (9 stalls) must be electric vehicle ready, and a minimum of 1% of the stalls (1 stall) must be electric vehicle installed. Identify the locations of the electric vehicle ready and installed stalls on the plans, and add the count of electric vehicle stalls to the site information block.

10. Bicycle parking for the Madison College project shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of one (1) bicycle stall per classroom and one (1) per five (5) students. Short-term bicycle parking stalls shall be located in a convenient and visible area on a paved or pervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.

11. Provide adequate interior parking lot landscaping for the redeveloped parking lot west of the existing building per Section 28.142(6). For changes to a developed site, a minimum of five percent (5%) of the asphalt or concrete area shall be interior planting islands, peninsulas, or landscaped strips. A planting island shall be located at least every twelve (12) contiguous stalls with no break or alternatively, landscaped strips at least seven (7) feet wide between parking bays.

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

13. Verify whether new rooftop mechanical equipment and screening are proposed. All rooftop and ground level mechanical equipment and utilities shall be fully screened from view from any street or residential district per Section 28.142(9)(d).

14. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

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

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

16. 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.

The Engineering Division, Fire Department, Parks Division, Forestry Section, and Metro Transit have reviewed this request and have recommended no conditions of approval.

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80427

File ID:	80427	**File Type:**	Petition	**Status:**	Unfinished Business
Version:	1	**Reference:**		**Controlling Body:**	COMMON COUNCIL
				File Created Date :	10/17/2023
File Name:				**Final Action:**	

Title: Petition received in the Madison City Clerk's Office October 17, 2023, regarding annexation from Town of Verona to City of Madison.

Notes:

Sponsors:		**Effective Date:**	
Attachments:	petition	**Enactment Number:**	
Author:		**Hearing Date:**	
Entered by:	echristianson@cityofmadison.com	**Published Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Clerk's Office	10/17/2023	Referred for Introduction				
	Action Text:	This Petition was Referred for Introduction					
	Notes:	Accept 11/21/23					
1	COMMON COUNCIL	11/07/2023	Refer to a future Meeting to Accept	COMMON COUNCIL			Pass
	Action Text:	A motion was made by Currie, seconded by Figueroa Cole, to Refer to a future Meeting to Accept. The motion passed by voice vote/other.					

Text of Legislative File 80427

Title

Petition received in the Madison City Clerk's Office October 17, 2023, regarding annexation from Town of Verona to City of Madison.

PETITION FOR DIRECT ANNEXATION
BY UNANIMOUS CONSENT
(Wis. Stat. § 66.0217(2))

TO:

City of Madison
Attn: City Clerk
210 Martin Luther King Jr. Blvd.,
Room 103
Madison, WI 53703

Town of Verona
Attn: Town Clerk
7669 County Highway PD
Verona, WI 53593

The undersigned, being all the electors residing in the Territory, and all of the owners of all of the real property in the Territory, do hereby unanimously petition the City of Madison for the purpose of annexing the Territory from the Town of Verona to the City of Madison.

The "Territory" proposed for annexation from the Town of Verona to the City of Madison is more particularly described on the attached Exhibit A, and is shown on the scale map attached as Exhibit B. The Territory is located in Dane County, Wisconsin.

The undersigned requests that this annexation be approved and take effect in the manner provided by law.

There are 0 electors residing in the Territory. The population of the Territory is 0.

The Territory is: 4,216,561 square feet; 96.799 acres; 0.151248 square miles.

The Parcel Identification Numbers for the Territory are 062/0608-021-8530-0; 062/0608-022-8001-0; and 062/0608-022-8500-0.

This Petition for Annexation is filed pursuant to Wis. Stats. § 66.0217(2).

[SIGNATURE ON FOLLOWING PAGES]

RECEIVED
OCT 17 2023
MADISON CITY CLERK

cc: Wisconsin Department of Administration

SIGNATURE PAGE
PETITION FOR DIRECT ANNEXATION BY UNANIMOUS CONSENT
Of
MARTY CENTURY FARM FAMILY LIMITED PARTNERSHIP

MARTY CENTURY FARM FAMILY LIMITED PARTNERSHIP

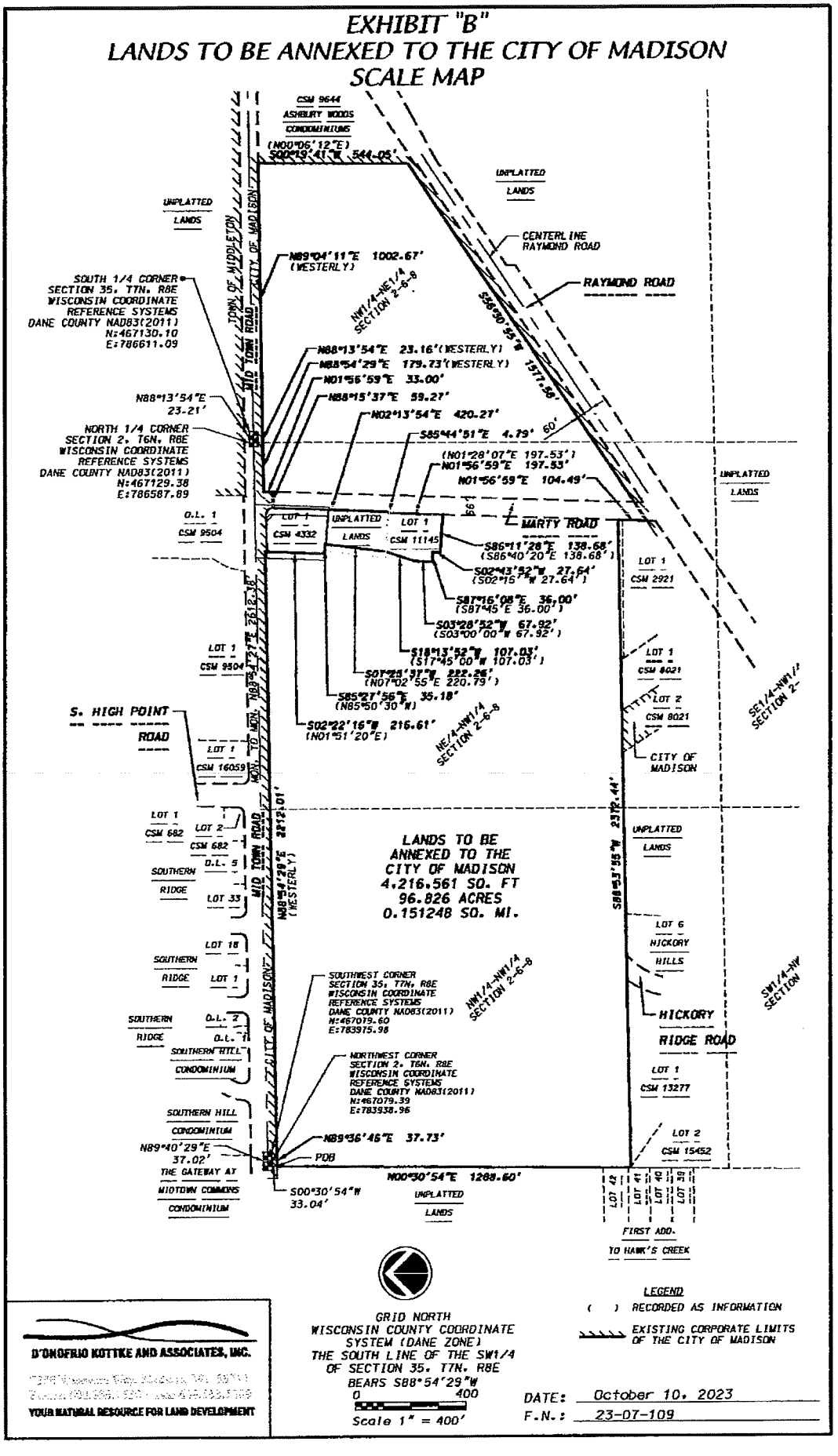
By: Ronald R Marty Date: 10/13/2023
Name: Ronald R Marty
Title: General Partner

EXHIBIT "A"

LEGAL DESCRIPTION OF LAND TO BE ANNEXED TO THE CITY OF MADISON

A parcel of land located in the NW1/4 of the NW1/4 and the NE1/4 of the NW1/4 and the NW1/4 of the NE1/4 of Section 2, T6N, R8E, Town of Verona, Dane County, Wisconsin to-wit:
Commencing at the Northwest corner of said Section 2; thence S00°30'54"W, 33.04 feet along the West line of said NW1/4 to a point on the South right-of-way line of Mid Town Road, also being on the existing corporate limits of the City of Madison and the point of beginning; thence N89°36'46"E, 37.73 feet along said South right-of-way line and corporate limits; thence N88°54'29"E, 2212.01 feet along said South right-of-way line and corporate limits; thence S02°22'16"W, 216.61 feet along said South right-of-way line, said corporate limits and the West line of Lot 1, Certified Survey Map No. 4332 to the Southwest corner of said Lot 1; thence S85°27'56"E, 35.18 feet along the South line of said Lot 1; thence S07°25'37"W, 222.26 feet along the West line of lands per Document Number 1826677 to the Northwest corner of Lot 1, Certified Survey Map No. 11145; thence S18°13'52"W, 107.03 feet along the Westerly line of said Lot 1; thence S03°28'52"W, 67.92 feet along said Westerly line; thence S87°16'08"E, 36.00 feet along said Westerly line; thence S02°43'52"W, 27.64 feet along said Westerly line to the Southwest corner of said Lot 1; thence S86°11'28"E, 138.68 feet along the South line of said Lot 1 to the Westerly right-of-way line of Marty Road as dedicated by Certified Survey Map No. 11145; thence N01°56'59"E, 197.53 feet along said West right-of-way line; thence S85°44'51"E, 4.79 feet along the West right-of-way line of Marty Road to a point on the Southerly extension of the West right-of-way line as dedicated by Certified Survey Map No. 4332; thence N02°13'54"E, 420.27 feet along said West right-of-way line to a point on the existing corporate limits of the City of Madison; thence N88°15'37"E, 59.27 feet along said corporate limits to the East right-of-way line of Marty Road; thence N01°56'59"E, 33.00 feet along said corporate limits and East right-of-way line to the South right-of-way line of Mid Town Road; thence N88°54'29"E, 179.73 feet along said corporate limits and South right-of-way line; thence N88°13'54"E, 23.16 feet along said corporate limits and South right-of-way line; thence N89°04'11"E, 1002.67 feet along said corporate limits and South right-of-way line to the Northwest corner of Ashbury Woods Condominium and Lot 1, Certified Survey Map No. 9644; thence S00°19'41"W, 544.05 feet along said corporate limits and the West line of said Ashbury Woods Condominium and Lot 1, Certified Survey Map No. 9644; thence S56°30'55"W, 1577.58 feet 60 feet Northeast and parallel with the centerline of Raymond Road and along said corporate limits to a point on the West right-of-way line of Marty Road; thence N01°56'59"E, 104.49 feet along said West right-of-way line; thence S88°53'55"W, 2372.44 feet along unplatted lands, the North line of Lot 2, Certified Survey Map No. 8021 (which is also along the existing corporate limits of the City of Madison), the North line of Lot 1, Certified Survey Map No. 8021, the North line of Lot 6, Hickory Hills, the North right-of-way line of Hickory Ridge Road, the North line of Lot 1, Certified Survey Map No. 13277 and the North line of Lot 2, Certified Survey Map No. 15452 to the North west corner of said Lot 2 also being on the East line of Lot 41, First Addition to Hawk's Creek; thence N00°30'54"E, 1288.60 feet along the East lines of Lots 41 and 42, First Addition to Hawk's Ridge and along the West line of said NW1/4 to the point of beginning. Containing 4,216,561 square feet, 96.799 acres, 0.151248 square miles.

EXHIBIT "B"
LANDS TO BE ANNEXED TO THE CITY OF MADISON
SCALE MAP



D'ONOFRIO KOTTKE AND ASSOCIATES, INC.

YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT

DATE: October 10, 2023

F.N.: 23-07-109

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80646

File ID:	80646	**File Type:**	Appointment	**Status:**	Unfinished Business
Version:	1	**Reference:**		**Controlling Body:**	COMMON COUNCIL
				File Created Date :	11/01/2023
File Name:	11-21-2023 Resident committee appointments			**Final Action:**	

Title: Report of the Mayor submitting resident committee appointments (introduction 11-7-2023; action 11-21-2023).

Notes:

Sponsors:		**Effective Date:**	
Attachments:		**Enactment Number:**	
Author:	Satya Rhodes-Conway	**Hearing Date:**	
Entered by:	ldcosta@cityofmadison.com	**Published Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor's Office	11/01/2023	Referred for Introduction				
	Action Text:	This Appointment was Referred for Introduction					
	Notes:	Confirm 11/21/23					
1	COMMON COUNCIL	11/07/2023	Refer to a future Meeting to Confirm	COMMON COUNCIL			Pass
	Action Text:	A motion was made by Currie, seconded by Figueroa Cole, to Refer to a future Meeting to Confirm . The motion passed by voice vote/other.					

Text of Legislative File 80646

Title

Report of the Mayor submitting resident committee appointments (introduction 11-7-2023; action 11-21-2023).

Body

I hereby submit, for your consideration and approval, the following resident committee appointments.

***2/3 vote required for confirmation of non-city residents.**

Pursuant to Sec. 3.30(2) of the Madison General Ordinances, "...provision shall not apply to a member of or candidate for appointment to a City of Madison board, committee or commission

where, in the judgement of the mayor and two-thirds (2/3) of the Common Council, the best interests of the city will be served by the appointment of a non-resident member who is particularly well qualified by reasons of education, background, and experience with Madison business concerns or other Madison-based employers and the Mayor specifies fully to the Common Council the reasons why he or she is recommending such appointment."

DOWNTOWN COORDINATING COMMITTEE

Associated Students of Madison and D8 Alder recommendation:
AYDEN C. FOWLER (8th A.D.) - appoint to the remainder of a one-year term to the position of Second Alternate-University of Wisconsin-Madison Student succeeding Dominic Zappia. Ayden Fowler is a freshman currently studying Operations and Technology Management & Information Systems.
TERM EXPIRES: 5-14-2024

ECONOMIC DEVELOPMENT COMMITTEE

For information only - Does not require council confirmation
MELISSA GOMBAR (13th A.D.) - appointed to the position of Mayor or Designee. Melissa Gombar is a non-profit director with Elevate - an organization that focuses on ensuring people have access to clean and affordable heat, power and water. Prior to that, Melissa Gombar served as the City's Affirmative Action Manager. She also previously served on the boards of Common Wealth Development and Briarpatch Youth Services. Melissa Gombar succeeds Sabrina Madison.
TERM EXPIRES: 4-20-2027

SUSTAINABLE MADISON COMMITTEE

JOHN P. GUEQUIERRE (19th A.D.) - appoint to the remainder of a two-year term to the position of Common Council or Resident Member succeeding Samantha Worden who assumed a Member position. John Guequierre is a consultant in construction technology. He has been active with companies that have focused on building affordable homes and energy efficient structures. He has served as chair of both the United Way of of Elkhard, IN and the Indiana Association of United Ways. Most recently, he ran for a seat on the City's Common Council.
TERM EXPIRES: 6-30-2025

*ERINN MONROE-NYE, Monona - appoint to the remainder of a two-year term to the position of Member succeeding Jesse J. Shields.
TERM EXPIRES: 6-30-2025

Rationale: Erinn Monroe-Nye is the Energy Services & Policy Manager for Madison Gas &Electric, where she oversees electric vehicle strategy and is already working directly with sustainability staff on an EV pole mounted charger pilot program. MG&E staff has been represented on SMC for over a decade, providing valuable insight into the utility's sustainability efforts and strategies, as well as a direct liaison for staff to get questions answered quickly. Erinn Monroe-Nye's background with large solar energy construction projects and Wisconsin's Focus on Energy program will make her a valuable asset to SMC.

RILEY P. WILLMAN (4th A.D.) - appoint to the remainder of a two-year term to the position of

Member succeeding Jeannette E. LeZaks. Riley Willman currently holds the First Alternate position and has served since 9-20-2022.
TERM EXPIRES: 6-30-2025

XANTHE Z. SAALMANN (5th A.D.) - appoint to the remainder of a two-year term to the position of First Alternate succeeding Riley P. Willman who will assume a regular member position. Xanthe Saalmann currently holds the Second Alternate position and has served since 9-20-2022.
TERM EXPIRES: 6-30-2024

KIMBERLY CHO (4th A.D.) - appoint to the remainder of a two-year term to the position of Second Alternate succeeding Xanthe Z. Saalmann who will assume a the First Alternate position. Kimberly Cho is the co-founder of Half Cup Studio where she serves as a creative communications consultant and designer. Half Cup Studio's tagline is "visual storytelling with a conscience" as their mission is focused on providing services to business and organizations that provide support and opportunity.
TERM EXPIRES: 6-30-2024

ROBERT W. BEETS (3rd A.D.) - appoint to the remainder of a two-year term to the position of Third Alternate succeeding James R. Alvin. Robert Beets is the founder and principal consultant of Prime Root, LLC - where he provides communications and management consulting to science organizations. He serves as an election official and serves on the board of OWN IT: Building Black Wealth and Rolling Meadows Neighborhood Association.
TERM EXPIRES: 6-30-2024

Respectfully submitted,

Satya Rhodes-Conway
Mayor

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80845

File ID:	80845	**File Type:**	Appointment	**Status:**	Mayoral Business
Version:	1	**Reference:**		**Controlling Body:**	Mayor's Office
				File Created Date :	11/14/2023
File Name:	12-5-2023 Resident committee appointments			**Final Action:**	

Title: Report of the Mayor submitting resident committee appointments (introduction 11-21-2023; action 12-5-2023).

Notes:

Sponsors:		**Effective Date:**	
Attachments:		**Enactment Number:**	
Author:	Satya Rhodes-Conway	**Hearing Date:**	
Entered by:	ldcosta@cityofmadison.com	**Published Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor's Office	11/14/2023	Referred for Introduction				
	Action Text:	This Appointment was Referred for Introduction					
	Notes:	Confirm 12/5/23					

Text of Legislative File 80845

Title

Report of the Mayor submitting resident committee appointments (introduction 11-21-2023; action 12-5-2023).

Body

I hereby submit, for your consideration and approval, the following resident committee appointments.

***2/3 vote required for confirmation of non-city residents.**

Pursuant to Sec. 3.30(2) of the Madison General Ordinances, "...provision shall not apply to a member of or candidate for appointment to a City of Madison board, committee or commission where, in the judgement of the mayor and two-thirds (2/3) of the Common Council, the best interests of the city will be served by the appointment of a non-resident member who is particularly well qualified by reasons of education, background, and experience with Madison business concerns or other Madison-based employers and the Mayor specifies fully to the Common Council the reasons why he or she is recommending such appointment."

COMMITTEE ON AGING

CHARLESTINE (CHARLIE) DANIEL (9th A.D.) - reappoint to a three-year term to the position of Member (55+ Years of Age). First appointed 1-19-2021.
TERM EXPIRES: 10-1-2026

YA CHEN (20th A.D.) - reappoint to of a three-year term to the position of Member (55+ Years of Age). First appointed 12-1-2020
TERM EXPIRES: 10-1-2026

COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE

ANGELA K. JONES (7th A.D.) - reappoint to a three-year term to the position of Minority Representative. First appointed 7-20-2021.
TERM EXPIRES: 10-1-2026

OUSMAN DARBOE (12th A.D.) - reappoint to the remainder of a three-year term to the position of Low/Moderate Income Representative. First appointed 12-1-2020.
TERM EXPIRES: 10/1/2026

JENNIFER H. CAMPBELL (11th A.D.) - reappoint to a two-year term to the position of Resident Member. First appointed 5-3-2016.
TERM EXPIRES: 10-1-2026

TIFFANY D. MALONE (7th A.D.) - reappoint to a three-year term to the position of Resident Member. First appointed 9-20-2022.
TERM EXPIRES: 10-1-2026

MEGAN N. MILLER (15th A.D.) - reappoint to a one-year term to the position of First Alternate. First appointed 12-6-2022.
TERM EXPIRES: 10-1-2024

MATT PHAIR (20th A.D.) - reappoint to a one-year term position of Second Alternate. First appointed 8-1-2023.
TERM EXPIRES: 10-1-2024

COMMUNITY SERVICES COMMITTEE

CONSUELO LOPEZ (9th A.D.) - reappoint to a three-year term to the position of Community Representative. First appointed 3-29-2016.
TERM EXPIRES: 10-1-2026

MADISON METROPOLITAN SEWERAGE DISTRICT COMMISSION

*GREG FRIES, DeForest - reappoint to a three-year term to the position of Commissioner.
TERM EXPIRES: 10-15-2026

Rationale: As Assistant City Engineer, Greg Fries oversees sewer operations for the City, which includes coordination with the Madison Metropolitan Sewerage District. His position in the City makes him uniquely aware of how Commission decisions relate to and potentially impact the City, and vice versa. He is a long-time trusted public servant and professional engineer with deep knowledge of sewer and stormwater infrastructure issues in the City and in the region.

Respectfully submitted,

Satya Rhodes-Conway
Mayor

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80405

File ID:	80405	**File Type:**	Report	**Status:**	Presidential Business
Version:	1	**Reference:**		**Controlling Body:**	Council Office
				File Created Date :	10/16/2023
File Name:	Confirming the Madison Common Council meeting formats through March 19, 2024			**Final Action:**	

Title: Confirming the Madison Common Council meeting formats through March 19, 2024:
12/5/23 - Virtual
1/9/24 - Hybrid (Virtual & CCB 201)
1/23/24 - Hybrid (Virtual & CCB 201)
2/13/24 - Hybrid (Virtual & CCB 201)
3/5/24 - Hybrid (Virtual & CCB 201)
3/19/24 - Hybrid (Virtual & CCB 201)

Notes:

Sponsors:		**Effective Date:**	
Attachments:		**Enactment Number:**	
Author:		**Hearing Date:**	
Entered by:	lwindsor-engnell@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Council Office	10/16/2023	RECOMMEND TO COUNCIL TO ACCEPT - REPORT OF OFFICER				

Action Text: This Report was RECOMMEND TO COUNCIL TO ACCEPT - REPORT OF OFFICER

Text of Legislative File 80405

Title
Confirming the Madison Common Council meeting formats through March 19, 2024:
12/5/23 - Virtual
1/9/24 - Hybrid (Virtual & CCB 201)
1/23/24 - Hybrid (Virtual & CCB 201)
2/13/24 - Hybrid (Virtual & CCB 201)
3/5/24 - Hybrid (Virtual & CCB 201)
3/19/24 - Hybrid (Virtual & CCB 201)

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80362

File ID:	80362	**File Type:**	Ordinance	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	BOARD OF PUBLIC WORKS
				File Created Date :	10/11/2023
File Name:	Greenway Encroachments and Greenway Privilege			**Final Action:**	

Title: Amending Section 8.15(1) and Creating Subsection 37.05(11) of the Madison General Ordinances to allow for certain greenway encroachments and the creation of a greenway privilege.

Notes: 6806GreenwayPrivilege

Sponsors:	Nikki Conklin	**Effective Date:**	
Attachments:	ENCROACHMENT REVISION MGO 37	**Enactment Number:**	
Author:	Doran Viste	**Hearing Date:**	
Entered by:	mglaeser@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	10/11/2023	Referred for Introduction				
	Action Text:	This Ordinance was Referred for Introduction					
	Notes:	Board of Public Works (11/8/23), Common Council (11/21/23)					
1	COMMON COUNCIL	10/17/2023	Referred	BOARD OF PUBLIC WORKS		11/08/2023	
	Action Text:	This Ordinance was Referred to the BOARD OF PUBLIC WORKS					
1	BOARD OF PUBLIC WORKS	11/08/2023	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text:	A motion was made by Stern, seconded by Clausius, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.					

Text of Legislative File 80362

Fiscal Note

No City Funds required.

Title

Amending Section 8.15(1) and Creating Subsection 37.05(11) of the Madison General Ordinances to allow for certain greenway encroachments and the creation of a greenway privilege.

Body

DRAFTER'S ANALYSIS: Under existing ordinances, most encroachments into City greenways and park lands are not authorized, even if similar encroachments may be approved on other City owned lands. This ordinance would amend Sec. 8.15(1) to create a limited exception to this prohibition and allow for some encroachments into greenways that are solely managed by the Engineering Division, including lands managed by the Stormwater Utility (such as ponds and other detention basins). While gardens and temporary fencing may be allowed with notification and approval of the City Engineer, more extensive encroachments, including permanent fencing, retaining walls, stairs, outbuildings, hardscape and parking areas would require the granting of a greenway privilege under the newly created 37.05(11). A greenway privilege would be similar to a privilege in street under Sec. 10.31, and would be within the discretion of the City Engineer to grant. The City will retain the ability to remove any greenway encroachment that interferes with City operations or that presents a risk to the public health, safety and welfare.

****

The Common Council of the City of Madison do hereby ordain as follows:

1. Amending Subsection (1) entitled "Greenways and Park Lands" of Section 8.15 entitled "Regulation of Private Use of Greenways, Park Lands, and the Southwest Path" as follows:

"(1) Greenways and Park Lands .

(a) Public Nuisance. Except as provided for in this Subsection, the ~~P~~private use of City-owned or leased greenways and park lands including, but not limited to, fences, retaining walls, outbuilding sites, dog runs, play equipment and gardens, storage of piers, boat hoists, firewood or other private personal property, disposal or dumping of yard waste or garbage, planting or pruning of trees and shrubs, mowing of grass on park lands, or chemical treatment of grass on park lands or greenways, ~~or mowing of grass on greenways when posted for no mowing~~ is a public nuisance and is prohibited unless approval to use City-owned or leased greenways is obtained pursuant to Subdivision (b) or the private use is pursuant to a valid permit issued under Sec. 8.10 or Sec. 8.33, MGO. For the purposes of this Section, a greenway has the definition provided under Sec. 16.23(2), and also includes any lands managed by the Stormwater Utility.

(b) Native Plantings and Invasive Removals. The City Engineer may approve planting native grasses and/or forbs or removal of invasive species in a City-owned or leased greenway, provided that:

1. the applicant is the owner of land abutting the greenway where the use is proposed;
2. the City's ability to maintain the greenway is not adversely impacted by the proposed use;
3. the applicant signs an approved volunteer form by which the applicant agrees to indemnify, defend, and hold harmless the City and its officers, employees and agents against all loss or expense by reason of any claim or suit, or of liability imposed by law upon the City or its officials, agents, or employees for damages because of bodily injury, including death at any time resulting therefrom, sustained by any person or persons or on account of damage to property, including loss of use thereof, arising from, in connection with, caused by or resulting from activities related to an approved use of a greenway, whether caused or contributed to by the negligent acts of the City, its officials, employees, or agents.

The approval may contain conditions, including but not limited to, the duration of

the approval and the geographic limits for the proposed use. The applicant shall notify all property owners within one hundred (100) feet of the greenway where the proposed use is located at least three (3) days prior to the date the proposed use begins. The City Engineer will ultimately determine if the use is approved and a permit for use will be issued.

(c) Permissible Use of Certain Greenways.

1. Eligible Greenways. Greenways managed solely by the Engineering Division, including lands managed by the Stormwater Utility, are subject to this Subdivision. Greenways, or portions thereof, that are managed by the Parks Division, on its own or in combination with the City Engineer, as indicated on the Parks and Open Space Inventory Map, which is part of the Adopted City of Madison Parks and Open Space Plan, are not subject to this Subdivision.
2. Permissible Encroachments. The following categories of encroachments may be authorized within eligible greenways, provided that the proposal, in the opinion of the City Engineer, does not impede water flow or have a risk of floatation, and that the encroaching party complies with any other applicable City ordinance requirements and any additional limitations imposed by the City Engineer:
    a. Mowing. Unless posted for no mowing, mowing of grass on greenways is permitted.
    b. Gardens. Vegetable gardens, including any associated protective fencing or cages, and confined compost bins are authorized with City Engineer notification and approval.
    c. Fences. Temporary fencing not exceeding 30 inches tall that is used to delineate a garden and that does not run the full length of a property line is authorized with City Engineering notification and approval, provided it is removed annually. Temporary construction fencing is allowed if it is needed to protect or secure a construction site. Permanent fencing is only allowed with a valid Greenway Privilege issued under Sec. 37.05(11).
    d. Stairs. Constructed stairs of any type are only allowed with a valid Greenway Privilege issued under Sec. 37.05(11).
    e. Retaining Walls. Retaining walls of any size, regardless of type (gravity or walls including poured concrete or mortared stone/masonry), are only allowed with a valid Greenway Privilege issued under Sec. 37.05(11).
    f. Outbuildings. Outbuildings, including buildings or structures of any type, such as sheds, chicken coops, and garages, whether they include a foundation or not, are only allowed with a valid Greenway Privilege issued under Sec. 37.05(11). No such outbuilding shall be used for human habitation.
    g. Hardscape. The use of wood, stone, concrete, masonry, galvanized metal or other hard landscaped materials to construct patios, decks, fire pits, raised garden beds, and paths are only allowed with a valid Greenway Privilege issued under Sec. 37.05(11).
    h. Parking Areas. Parking areas are only allowed with a valid Greenway Privilege issued under Sec. 37.05(11).
    i. Improvements of Public Benefit. Improvements that are deemed to be in the public interest, by the City Engineer or Board of Public Works, may require a valid Greenway Privilege issued under Sec. 37.05(11). Examples include an encroachment into public lands

for a walking/biking access path where the entirety of said path is open to the public but the path is privately owned.

3. Maintenance of Permissible Encroachments.
   a. Permissible encroachments authorized under this Subdivision shall be maintained in a safe and orderly manner, and used only for their designated purpose.
   b. Under no circumstances shall a permissible encroachment obstruct or endanger the public's use of the greenway for its intended purposes, as determined by the City Engineer.
4. Responsibility. The person responsible for the permissible encroachment accepts full responsibility for the care and maintenance of the permissible encroachment, and understands that permissible encroachments in the greenway are made at their own risk, and that they may be removed at any time by the City without compensation. The person seeking to place any permissible encroachments in the greenway is responsible for contacting Digger's Hotline to identify and mark any underground utilities prior to digging within the greenway.
5. Removal. Any greenway encroachments remaining upon the expiration of a Greenway Privilege or that not maintained consistent with Para. 4, shall become a public nuisance, subject to Subd. (a), and abatement under Subs. (4).

(d) Public Priority. Notwithstanding the exceptions in Subds. (b) and (c), or the issuance of a Greenway Privilege under Sec. 37.05(11), any private encroachment of a greenway that ultimately interferes with the use, operation, maintenance or future planning, development or construction of the adjacent greenway or appurtenances, or that presents a risk to the health, safety and welfare of the public, as determined by the City Engineer or the Director of Building Inspection Division, shall be considered a public nuisance and is prohibited under this Subsection. Upon such a determination, any approvals, permits or privileges associated with the encroachment shall be rescinded, withdrawn or terminated, and the encroachment shall be removed pursuant to Subs. (4).”

2. Creating Subsection (11) entitled “Greenway Privilege” of Section 37.05 entitled “The Public Stormwater System” as follows:

“(11) Greenway Privilege.

(a) Privilege. The privilege for certain permissible encroachments within a publicly owned greenway, as allowed for under Sec. 8.15(1)(c), shall be granted only as provided in this Subsection. All existing encroachments which are nonconforming to the provisions of this Subsection are to hereafter comply with the requirements of this Subsection and Sec. 8.15(1). No building permits shall be issued under Sec. 29.05 on any premises from where a greenway encroachment exists until the requirements of this Subsection are met, unless the City Engineer or their designee determines that an emergency condition exists which requires immediate remedy, provided an application for Greenway Privilege is submitted with the application for said building permit. For the purposes of this Subsection, a greenway has the definition provided under Sec. 16.23(2), but also includes any lands managed by the Stormwater Utility.

(b) Application.

1. Procedure. Applications for a Greenway Privilege shall be made to the Economic Development Division of the Planning and Community and Economic Development Department. A nonrefundable application and initial processing fee of five hundred dollars ($500) shall accompany said application. There shall be no proration of the application and initial processing fee. The City Engineer, or their designee, shall make the determination of whether to approve an application for a Greenway Privilege under this subsection.

   A legible drawing or survey completed by a Professional Surveyor at a convenient scale necessary to clearly depict and label all items on an 8½ × 14 size paper or in an equivalent digital file, showing the greenway privilege, improvements and area in relation to the owner's property shall also accompany said application. The survey shall be referenced to the published horizontal datum as required by the City Engineer. The drawing or survey shall include sufficient data to permit the applicant's Surveyor to include a complete legal description and determine and label the square footage of the greenway area occupied by the greenway privilege. Upon the approval of an encroachment by the City Engineer, a digital CADD file shall be provided in the format required by the City Engineer.

   The City Engineer or their designee shall not recommend that the greenway privilege be granted unless the applicant shows that the requirements of this Subsection and Sec. 8.15 will be satisfied, and that applicable ordinances, resolutions and Board of Public Works policies will be complied with. If the Engineer recommends approval of an application for the greenway privilege, the Engineer shall inform the applicant in writing of the recommendation and the conditions of approval. Following concurrence of the applicant with the conditions of approval, the Director of the Economic Development Division or their designee (Director), in cooperation with the City Attorney, shall prepare an agreement, setting forth the requirements and conditions under which the greenway privilege is permitted. Following execution of all the documents by the applicant, the required documents are to be executed by the City Engineer. The Director shall monitor the payment of the annual fees, which may be collected as a special charge if not paid.

   Following receipt of the insurance certificate and the first year's fee, the agreement may be recorded with the Dane County Register of Deeds. A copy of the recorded agreement shall be furnished to the Applicant. The Risk Manager shall monitor the insurance requirements.
2. Appeal. In the event the City Engineer disapproves an application for a greenway privilege, the City Engineer shall inform the applicant, in writing, of the reasons for disapproval. The applicant may appeal the City Engineer's decision to the Board of Public Works within thirty (30) days after mailing of the City Engineer's notice to the address of the applicant as shown on the application. Such appeal must be in writing, and must inform the Board of the reasons why the applicant believes the City Engineer's decision to

be in error. Failure to appeal a denial shall result in automatic approval of the denial without further action by the City Engineer or Board of Public Works.

Within thirty (30) days after receipt of the appeal, the Board of Public Works shall hold a hearing at which the applicant and the City Engineer may present and question witnesses and present oral and written argument. Within twenty (20) days after the hearing, the Board shall issue a written decision which shall affirm, reverse or modify the determination of the City Engineer. Appeal of the Board of Public Works' decision shall be by Certiorari to Circuit Court and shall be commenced within thirty (30) days of the date of the decision sought to be reviewed or be waived.

(c) Conditions.

1. Conditions of Approval. A greenway privilege granted under this Subsection is subject to compliance with Sec. 8.15(1), as that ordinance may be amended from time-to-time, including any additional conditions imposed by the City Engineer. Any greenway privilege granted by the City Engineer shall be to the owner, agent or person obligated pursuant to a regulatory order of the property adjacent to the greenway to be occupied and shall be on condition that the applicant or the applicant's heirs and assigns shall become primarily liable for damages to person or property by reason of the granting of the greenway privilege.
2. Insurance. The applicant shall be required to furnish a Certificate of Insurance, providing evidence of general liability insurance with the City of Madison, its officers, officials, agents and employees named as additional insureds. The insurance shall include contractual liability coverage and minimum limits of one million dollars ($1,000,000) per occurrence. The City of Madison Risk Manager reserves the right to require higher limits and other coverage terms and conditions at their discretion. Applicant shall keep required insurance in full force and effect throughout the term of the greenway privilege. This insurance condition may be waived for other governmental units and in those instances where the City of Madison Risk Manager, in consultation with the City Attorney's office, determines that this requirement can be waived.
3. Public Priority. Greenway privileges shall not interfere with the use, operation, maintenance or future planning, development or construction of the adjacent greenway or appurtenances, or present a risk to the health, safety and welfare of the public. Non-compliance with this requirement is cause for immediate termination of the greenway privilege.

(d) Removal of Encroachment. The applicant shall remove said encroachment or obstruction upon thirty (30) days written notice by the City Engineer, or sooner if removal is necessary to protect the health, safety and welfare of the public. Additionally, the applicant or the applicant's heirs or assigns shall be entitled to no damages for removal of the greenway privilege, and if the applicant shall not remove the same upon due notice, it shall be removed at the applicant's expense and levied as a special charge for current services rendered against the applicant's property as provided by law. In the event of acquisition of all or a portion of the applicant's

property for a planned public improvement, no compensation will be paid to the applicant for the improvements constructed within the area on which the greenway privilege exists, for cost incurred in realigning personal property located on the area on which the privilege exists, or for loss of value or damage to the remaining improvements of the applicant caused by reasons of the acquisition or taking as provided under Wis. Stat. ch. 32.

In accepting the privilege, the applicant waives any and all right to contest in any manner the validity of this ordinance or Wis. Stat. § 66.0425, or the amount of compensation charged by the City of Madison.

The applicant may be required to comply with additional conditions as the City Engineer may impose, including execution of a written agreement incorporating all conditions upon which the greenway privilege is to be granted. Such agreement shall be binding upon the applicant, the applicant's heirs and assigns and may be drafted in recordable form and recorded in the Office of the Dane County Register of Deeds, and the terms and conditions contained in the agreement or resolution shall remain in full force and effect as long as the greenway privilege exists.

The privilege may be terminated by the applicant at any time by providing the City Engineer written notice of its desire to terminate this privilege. Following removal of the greenway privilege and restoration of the public area on which the greenway privilege existed to the satisfaction of the City Engineer, the Engineer shall cause to be recorded in the Dane County Register of Deeds office a suitable document terminating the privilege, if necessary. A copy of the document shall be furnished to the applicant and the City Clerk.

(e) Fee Schedule.

1. An annual minimum fee of five hundred dollars ($500) or an amount established hereinafter, shall be charged for the privilege of encroaching into the greenway. The annual fee may be levied as a special charge for current services rendered against the applicant's property as provided by law. The agreement may provide for alternative means of payment of annual fees in excess of ten thousand dollars ($10,000). An annual fee for less than twelve (12) months shall be prorated according to the number of months or fraction thereof for which the greenway privilege is issued. There shall be no proration upon termination of any privilege in streets.
2. The annual rental fees for privileges in streets under Sec. 10.31(3)(d) shall apply to a greenway privilege.

(f) Although subject to the provisions of this subsection, there shall be no application fee or annual fee (if encroachment is approved) for improvements of public benefit as provided for under Sec. 8.15(1)(c)2.i.”

MADISON ORDINANCE REVISIONS: CHANGES TO ENCROACHMENT RESPONSE IN GREENWAYS AND PONDS

City of Madison, WI

Engineering Division

Greg Fries, PE, Deputy City Engineer

Janet Schmidt, PE, Principal Stormwater Engineer

OVERVIEW – ORDINANCE CHANGES REGARDING ENCROACHMENTS

- WHAT IS AN ENCROACHMENT AND WHY IS IT PROBLEMATIC?
- WHY DID WE NEED TO CHANGE?
- WHAT DOES THE INABILTY TO ALLOW/PERMIT ENCROACHMENTS MEAN IN PRACTICE?
- WHAT WOULD THE PROPOSED CHANGE ALLOW FOR?
- WHAT IS A GREENWAY "PRIVILEGE"?
- WHAT WILL THE PROPOSAL ALLOW?
- EXAMPLES
- HOW WILL THE REVISION BE IMPLEMENTED?

OVERVIEW – ORDINANCE CHANGES REGARDING ENCROACHMENTS

- **WHAT IS AN ENCROACHMENT AND WHY IS IT PROBLEMATIC?**
  - **Encroachments, in this sense, are where private uses are on public spaces.**
  - **They are usually problematic as it may interfere with the public's use the City's ability to maintain or use the space the way it was intended.**
  - **These encroachments also generally benefit the party that is encroaching, however there are exceptions.**

OVERVIEW – ORDINANCE CHANGES REGARDING ENCROACHMENTS

WHY DID WE NEED TO CHANGE?

- Some encroachments are very expensive or problematic to order their removal.
- Under existing ordinances, most encroachments into City greenways/ponds cannot be authorized, even if similar encroachments may be approved/permitted on other City owned lands including Right of Way.
- City needs to retain the ability to remove encroachments that interferes with City operations or that presents a risk to the public health, safety and welfare.

OVERVIEW – ORDINANCE CHANGES REGARDING ENCROACHMENTS

▸ WHAT DOES THE INABILTY TO ALLOW/PERMIT ENCROACHMENTS MEAN IN PRACTICE?

- **Currently if Engineering encounters an encroachment in a pond or greenway there are two options:**
  - **1) order the encroachment be removed**
  - **2) Ignore the issue**
    - **Some encroachments are easy to remove while others would be onerous to remove – examples to follow. Change would allow for permitting difficult or expensive encroachments until the encroachment can be removed.**
    - **Yearly fees collected based on land value. Insurance required that indemnifies the City.**
    - **Fees can be waived in certain instances where the public is benefited by the encroachment, such as in a trail system open to the public for use.**

OVERVIEW – ORDINANCE CHANGES REGARDING ENCROACHMENTS

▸ WHAT WOULD THE PROPOSED CHANGE ALLOW?

- **The proposed ordinance revision would amend Sec. 8.15(1) to create a limited exception to this prohibition and allow for encroachments into greenways that are solely managed by the Engineering Division, including lands managed by the Stormwater Utility (such as ponds and other detention basins).**

- **This change would not permit encroachments into city park lands.**
- **This change would not permit illegal dumping.**

OVERVIEW – ORDINANCE CHANGES REGARDING ENCROACHMENTS

▸WHAT IS A GREENWAY "PRIVILEGE"?

- **A greenway "privilege" will be similar to a privilege in street under Sec. 10.31, and would be within the discretion of the City Engineer to grant. The City will retain the ability to remove any encroachment that interferes with City operations or that presents a risk to the public health, safety and welfare.**

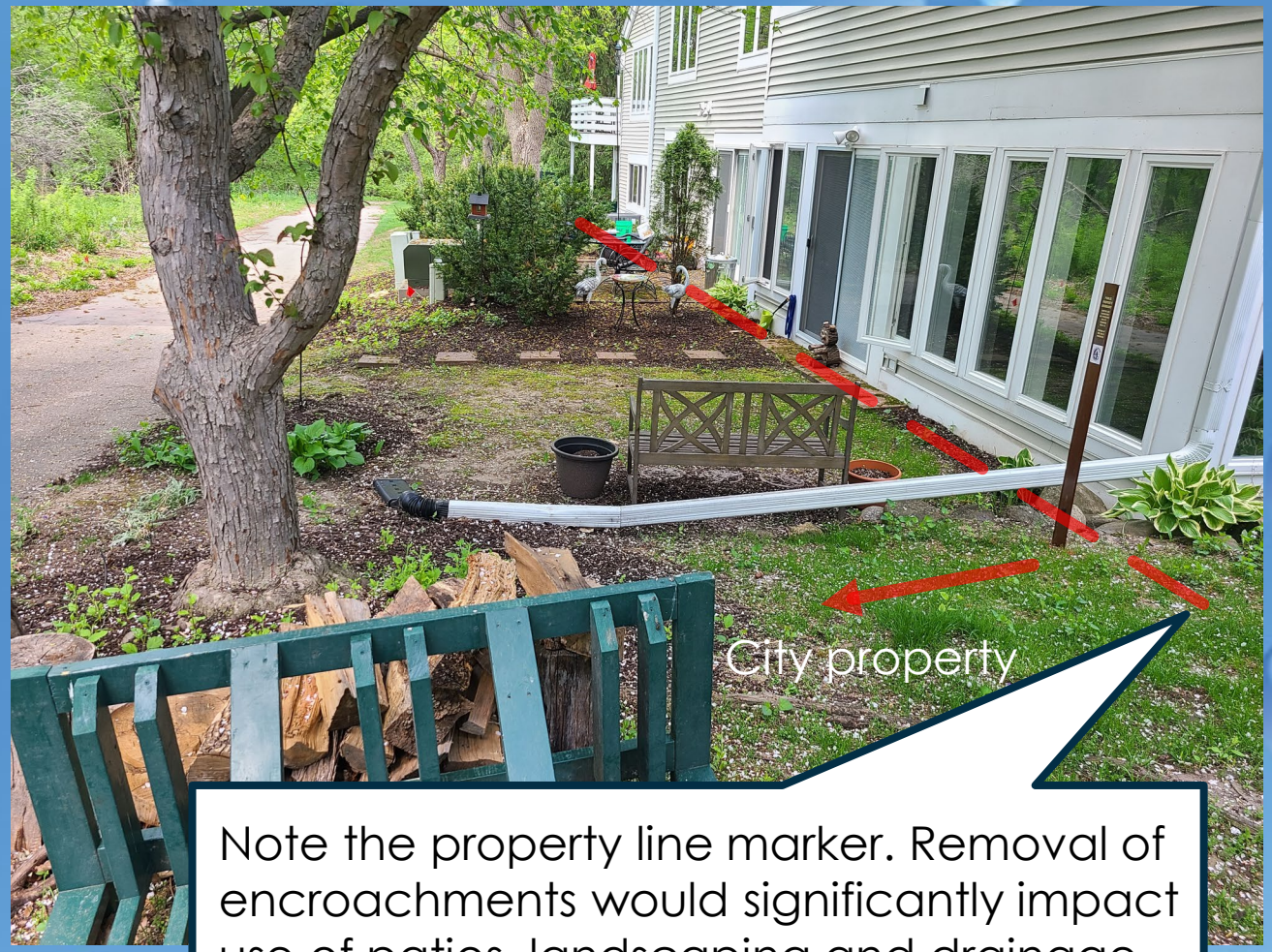
***Note the term "privilege" as it relates to encroachments, comes directly from the State Statutes (Wis. Stat. Sec. 66.0425). Under that statute, a privilege is defined as "the authority to place an obstruction or excavation beyond a lot line, or within a highway in a town, village, or city, other than by general ordinance affecting the whole public."**

OVERVIEW – ORDINANCE CHANGES REGARDING ENCROACHMENTS

- **SPECIFICALLY THE PROPOSAL WILL:**
- **Allowed permitted uses for extensive encroachments, including permanent fencing, retaining walls, stairs, outbuildings, hardscape and parking areas.**
  - **These would require the granting of a greenway privilege under the proposed section 37.05(11).**
- **Gardens and temporary fencing <u>may</u> be allowed with notification and approval of the City Engineer as long as they do not preclude the intended use of the property.**

EXAMPLES OF ENCROACHMENTS THAT COULD BE ADDRESSED WITH THIS CHANGE.

EXAMPLE ENCROACHMENTS



Note the property line marker. Removal of encroachments would significantly impact use of patios, landscaping and drainage, as well as privacy concerns.



EXAMPLE ENCROACHMENTS

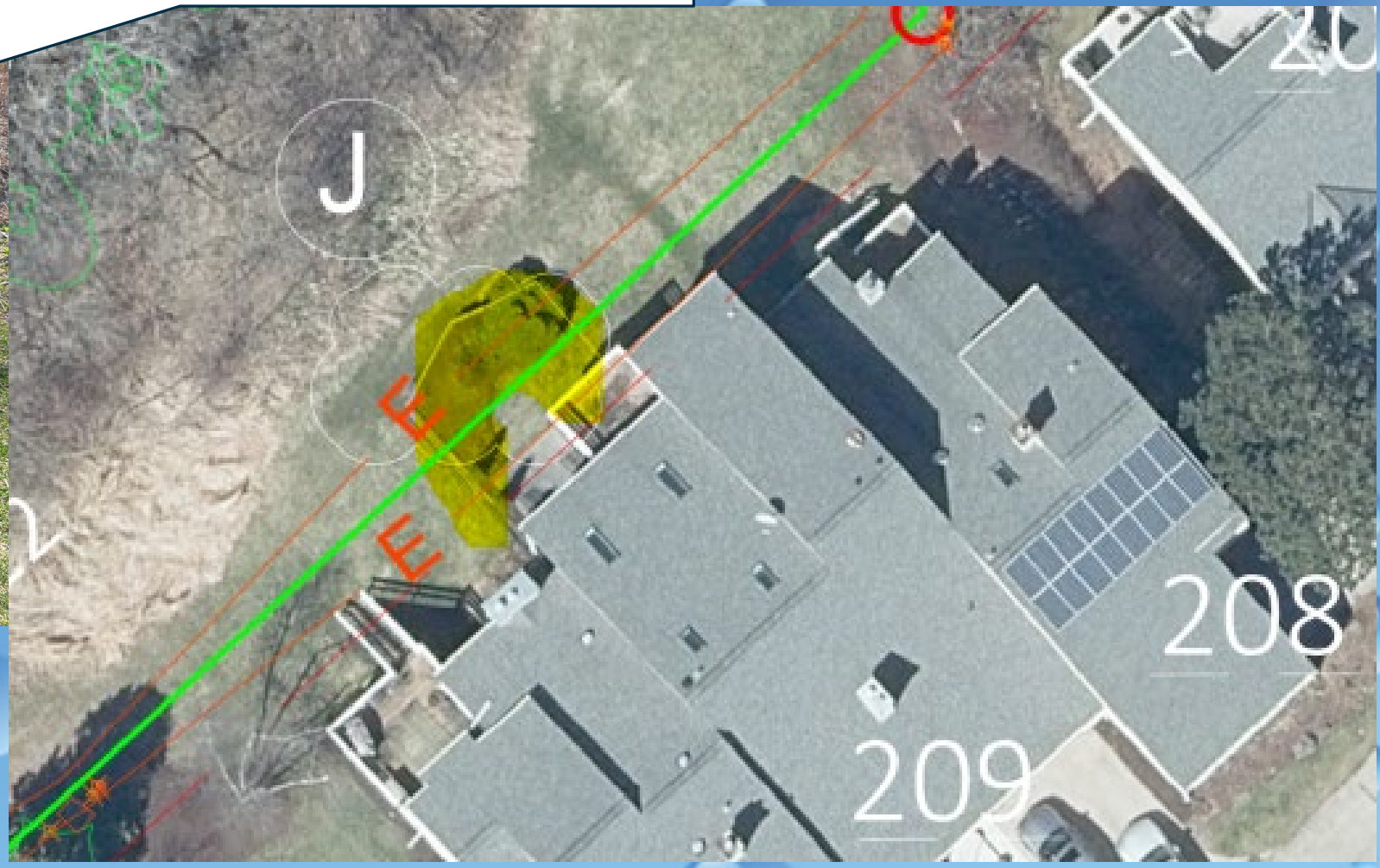




EXAMPLE ENCROACHMENTS

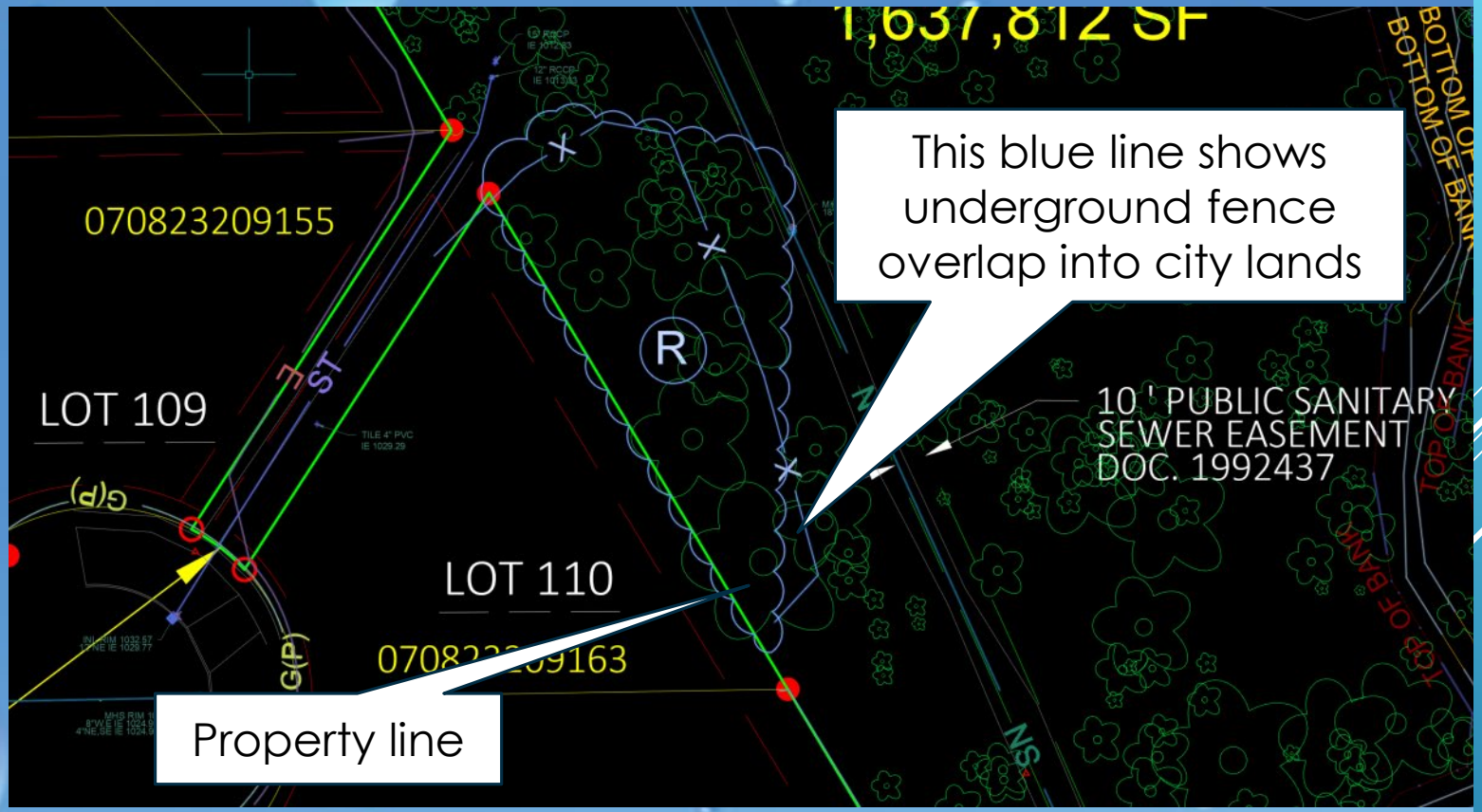


Most of this retaining wall is on city lands would be expensive and require redoing significant amount of landscaping



EXAMPLE ENCROACHMENTS – INVISIBLE FENCE

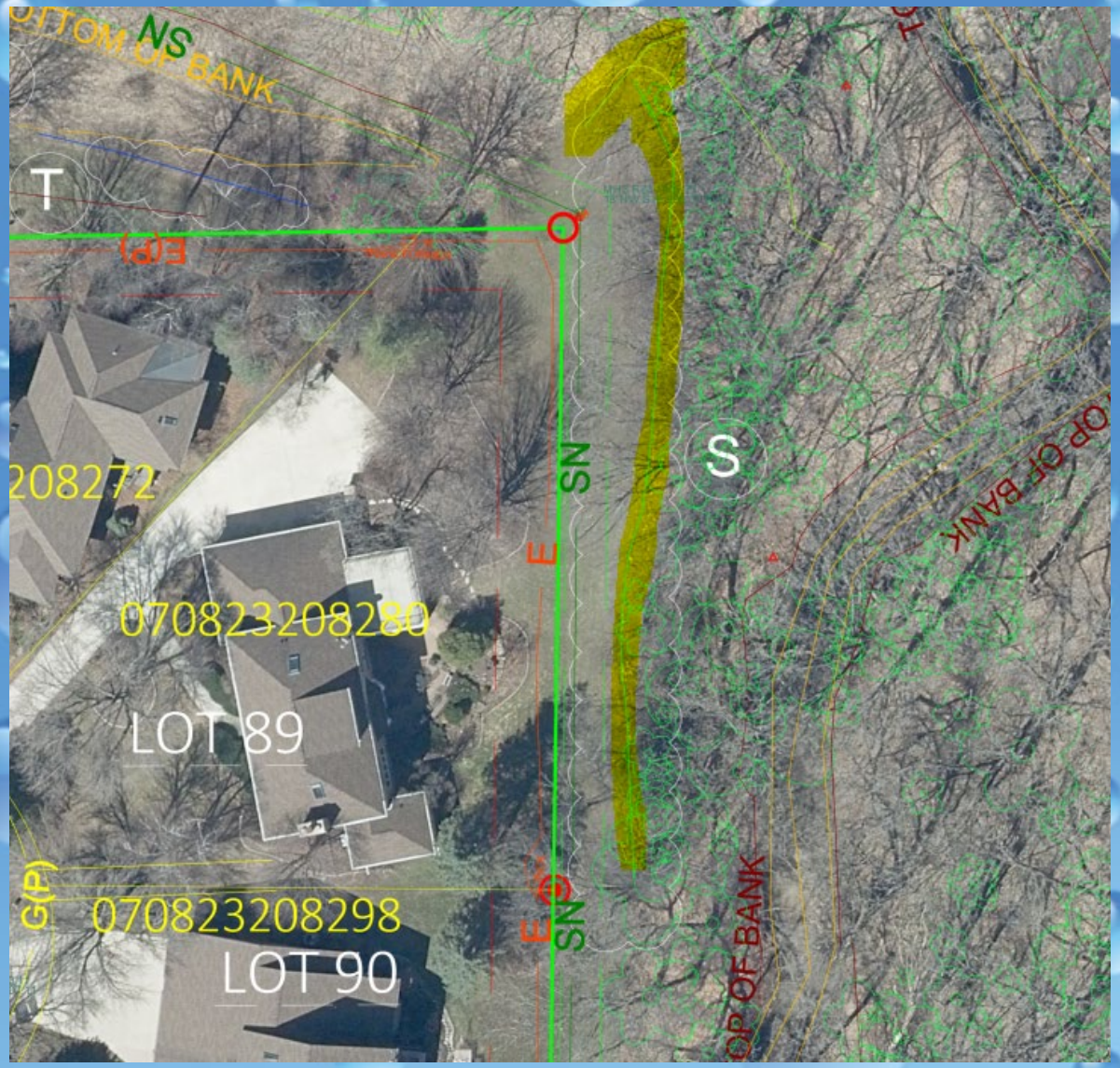




EXAMPLE ENCROACHMENTS



Landscaping makes yard appear bigger than it is, however easy to remove

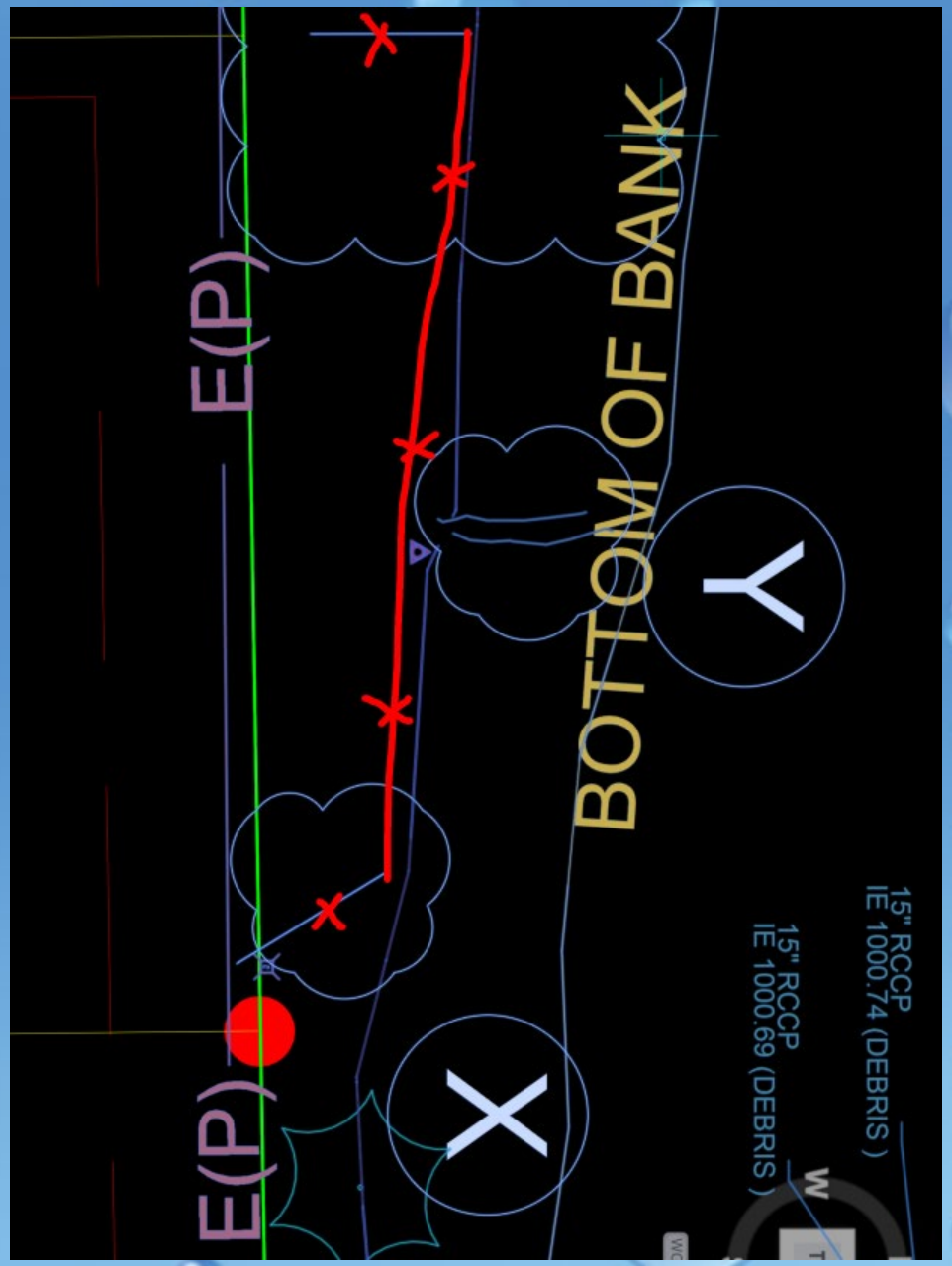


EXAMPLE ENCROACHMENTS





Fenced in portions of city property



EXAMPLE ENCROACHMENTS





Private lighted trail maintained by HOA around pond and greenway. Open to the public for use and limited impacts on city's use of pond or greenway

HOW WILL THE REVISION BE IMPLEMENTED

What locations does the ordinance apply to?

Greenways managed solely by the **Engineering Division**, including lands managed by the Stormwater Utility, are subject to this ordinance change.

HOW WILL THE REVISION BE IMPLEMENTED

What encroachments would be allowed <u>without</u> a privilege in greenway permit?

- Mowing. Unless posted for no mowing, mowing of grass on greenways is permitted.
- Gardens. Vegetable gardens, including any associated protective fencing or cages, and confined compost bins are authorized with City Engineer notification, review and approval.

HOW WILL THE REVISION BE IMPLEMENTED ?

What Encroachments are allowed with a privilege in greenway?

- Fences. Temporary fencing not exceeding 30 inches tall that is used to delineate a garden and that does not run the full length of a property line is authorized provided it is removed annually. Temporary construction fencing is allowed if it is needed to protect or secure a construction site. Permanent fencing is only allowed with a valid Greenway Privilege.

- Constructed stairs. Stairs of any type.

- Retaining Walls. Retaining walls of any size, regardless of type (gravity or walls including poured concrete or mortared stone/masonry.

- Outbuildings. Outbuildings, including buildings or structures of any type, such as sheds, chicken coops, and garages, whether they include a foundation or not. No outbuildings to be used for human habitation.

- continued-

HOW WILL THE REVISION BE IMPLEMENTED ?

What Encroachments are allowed with a privilege in greenway?

- Hardscape. The use of wood, stone, concrete, masonry, galvanized metal or other hard landscaped materials to construct patios, decks, fire pits, raised garden beds, and paths.
- Parking Areas. May be allowed if does not interfere with use of City lands.
- Improvements of Public Benefit. Improvements that are deemed to be in the public interest, may require a valid Greenway Privilege issued under Sec. 37.05(11). Examples include an encroachment into public lands for a walking/biking access path where the entirety of said path is open to the public but the path is privately owned.

HOW WILL THE REVISION BE IMPLEMENTED ?

Maintenance of encroachment:

The person responsible for the permissible encroachment accepts full responsibility for the care and maintenance of the permissible encroachment, and understands that permissible encroachments in the greenway are **made at their own risk**, and that they **may be removed at any time by the City without compensation**. The person seeking to place any permissible encroachments in the greenway is responsible for contacting Digger's Hotline to identify and mark any underground utilities prior to digging within the greenway.

Removal of the encroachment:

Any greenway encroachments remaining upon the expiration of a Greenway Privilege or that not maintained consistent with Para. 4, shall become a public nuisance, subject to Subd. (a), and abatement under Subs. (4).

Removal of the encroachment (the City maintains the right to remove):

Any private encroachment of a greenway that ultimately interferes with the use, operation, maintenance or future planning, development or construction of the adjacent greenway or appurtenances, or that presents a risk to the health, safety and welfare of the public, as determined by the City Engineer or the Director of Building Inspection Division, shall be considered a public nuisance and is prohibited under this Subsection.

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80654

File ID:	80654	**File Type:**	Resolution	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	BOARD OF PUBLIC WORKS
				File Created Date :	11/01/2023
File Name:	Declaring the City of Madison's intention to exercise its police powers establishing the East Wilson Street and East Doty Street Reconstruction Assessment District - 2023.			**Final Action:**	

Title: Declaring the City of Madison's intention to exercise its police powers establishing the East Wilson Street and East Doty Street Reconstruction Assessment District - 2023.(District 4)

Notes: Fadi El Musa Gonzalez

Sponsors:	Michael E. Verveer	**Effective Date:**	
Attachments:		**Enactment Number:**	
Author:	Jim Wolfe, City Engineer	**Hearing Date:**	
Entered by:	hfleegel@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	11/01/2023	Refer	BOARD OF PUBLIC WORKS	11/08/2023	11/08/2023	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 11/8/2023						
1	BOARD OF PUBLIC WORKS	11/08/2023	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Williams, seconded by Kliems, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						

Text of Legislative File 80654

Fiscal Note

No City Funds required.

Title

Declaring the City of Madison's intention to exercise its police powers establishing the East Wilson Street and East Doty Street Reconstruction Assessment District - 2023.(District 4)

Body

BE IT HEREBY RESOLVED:

1. That the Common Council of the City of Madison hereby establishes an assessment district known as the East Wilson Street and East Doty Street Reconstruction Assessment District - 2023, to serve East Wilson Street from Martin Luther King Junior Boulevard to South Franklin Street and East Doty Street from Martin Luther King Junior Boulevard to King Street, all in accordance with Section 66.0701 (formerly Section 66.62) of the Wisconsin State Statutes and Section 4.09 of the Madison General Ordinances.

2. That the contemplated purposes of this assessment district is to remove and replace pavement surface and pavement base, curb & gutter, driveway aprons, sidewalk, sanitary sewer main and laterals, water main, storm sewer and street lights.

3. That the benefited properties shall have the opportunity to pay the special assessments which may be levied as a result of this assessment district in eight (8) annual installments, subject to the current interest rate in effect at the time of establishment of the special assessment.

4. That the City Engineer is hereby directed to prepare a report consisting of preliminary or final plans and specifications; an estimate of the entire cost of the proposed work or improvements within the assessment district; a schedule of proposed assessments, constituting an exercise of police power of the City of Madison; and a statement that the property against which the assessments are proposed is benefited.

5. That upon completion of this aforesaid report, the City Engineer shall proceed in accordance with Section 4.09 of the Madison General Ordinances.

City of Madison

City of Madison
Madison, WI 53703
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Master

File Number: 80655

File ID:	80655	**File Type:**	Resolution	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	BOARD OF PUBLIC WORKS
				File Created Date :	11/01/2023
File Name:	Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Lower Badger Mill Ponds Restoration.			**Final Action:**	

Title: Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Lower Badger Mill Ponds Restoration.(District 1)

Notes: Sarah Lerner

Sponsors:	John W. Duncan	**Effective Date:**	
Attachments:	11063 Restoration_2023-10-25_2.pdf	**Enactment Number:**	
Author:	Jim Wolfe, City Engineer	**Hearing Date:**	
Entered by:	hfleegel@cityofmadison.com	**Published Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	11/01/2023	Refer	BOARD OF PUBLIC WORKS	11/08/2023	11/08/2023	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 11/8/2023						
1	BOARD OF PUBLIC WORKS	11/08/2023	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Williams, seconded by Ald. Conklin, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						

Text of Legislative File 80655

Fiscal Note

The proposed resolution approves plans and specifications and authorizes the Board of Public Works to advertise and receive bids for the Lower Badger Mill Ponds Restoration. The total estimated cost of the project is $350,000. Funding is available in MUNIS project 14980. No additional appropriation is required.

Title

Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Lower Badger Mill Ponds Restoration.(District 1)

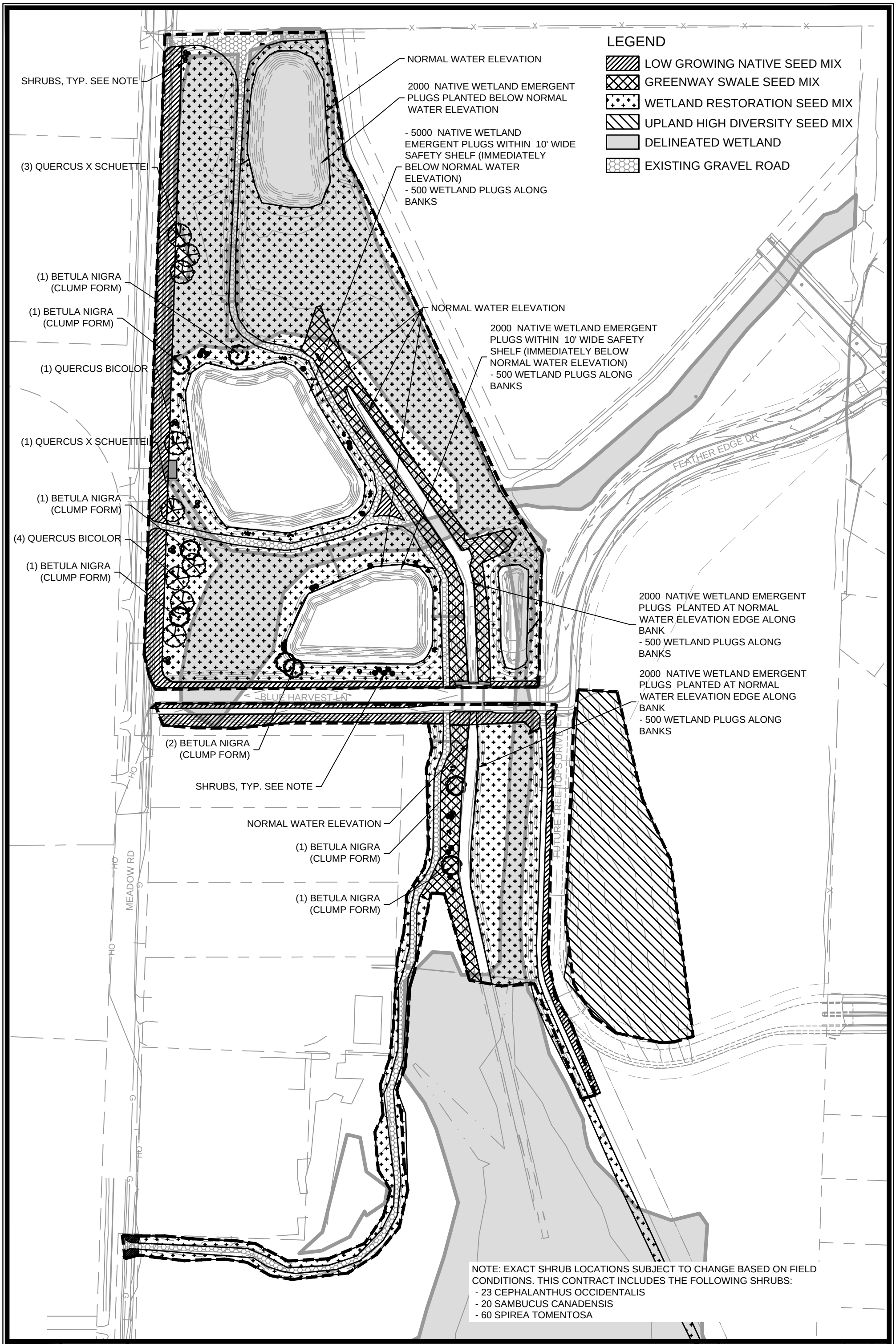
Body

BE IT RESOLVED,

1) That the plans and specifications for Lower Badger Mill Ponds Restoration, be and are hereby approved.

2) That the Board of Public Works be and is hereby authorized to advertise and receive bids for said project.

3) That the Mayor and City Clerk are hereby authorized to accept dedication of lands and/or easements from the Developer/Owner for public improvements located outside of existing public fee title or easement right-of-ways.



L-1 | 11063

OVERALL_LANDSCAPE_PLAN 11063

LOWER_BADGER_MILL MADISON,WI

FILEPATH CONTRACT NO: 9390

MARK		DATE	BY
Designed By: SCL	Date: PLOTDATE&TIME	Scale: 1:200	
11063		L-1	

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80656

File ID:	80656	**File Type:**	Resolution	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	BOARD OF PUBLIC WORKS
				File Created Date :	11/01/2023
File Name:	Declaring the City of Madison's intention to exercise its police powers establishing the Blue Harvest Lane, Feather Edge Drive, & Soaring Sky Run Assessment District - 2023.			**Final Action:**	

Title: Declaring the City of Madison's intention to exercise its police powers establishing the Blue Harvest Lane, Feather Edge Drive, & Soaring Sky Run Assessment District - 2023 (District 1)

Notes: Reid Stiteley

Sponsors:	John W. Duncan	**Effective Date:**	
Attachments:		**Enactment Number:**	
Author:	Jim Wolfe, City Engineer	**Hearing Date:**	
Entered by:	hfleegel@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	11/02/2023	Refer	BOARD OF PUBLIC WORKS	11/08/2023	11/08/2023	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 11/8/2023						
1	BOARD OF PUBLIC WORKS	11/08/2023	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Williams, seconded by Kliems, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						

Text of Legislative File 80656

Fiscal Note

No City Funds required.

Title

Declaring the City of Madison's intention to exercise its police powers establishing the Blue Harvest Lane, Feather Edge Drive, & Soaring Sky Run Assessment District - 2023 (District 1)

Body

BE IT HEREBY RESOLVED:

1. That the Common Council of the City of Madison hereby establishes an assessment district known as the “Blue Harvest Lane, Feather Edge Drive, & Soaring Sky Run Assessment District - 2023” serving Blue Harvest Lane (new street) and Feather Edge Drive (street extension) from Meadow Road to Soaring Sky Run and serving Soaring Sky Run (street extension) from Feather Edge Drive to undeveloped lot; all in accordance with Section 66.0701 (formerly Section 66.62) of the Wisconsin State Statutes and Section 4.09 of the Madison General Ordinances.

2. That the contemplated purpose of this assessment district is to install new asphalt pavement, road base, curb and gutter, sidewalk, storm sewer, sanitary sewer, water main, and lighting for new street and shared-use path construction.

3. That the benefited properties shall have the opportunity to pay the special assessments which may be levied as a result of this assessment district in eight (8) annual installments, subject to the current interest rate in effect at the time of establishment of the special assessment.

4. That the City Engineer is hereby directed to prepare a report consisting of preliminary or final plans and specifications; an estimate of the entire cost of the proposed work or improvements within the assessment district; a schedule of proposed assessments, constituting an exercise of police power of the City of Madison; and a statement that the property against which the assessments are proposed is benefited.

5. That upon completion of this aforesaid report, the City Engineer shall proceed in accordance with Section 4.09 of the Madison General Ordinances.

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80657

File ID:	80657	**File Type:**	Resolution	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	BOARD OF PUBLIC WORKS
				File Created Date :	11/01/2023
File Name:	Awarding Public Works Contract No. 9086, Metro Transit Hanson Rd. Bus Facility Remodel.			**Final Action:**	

Title: Awarding Public Works Contract No. 9086, Metro Transit Hanson Rd. Bus Facility Remodel. (District 17)

Notes: Jim Whitney

Sponsors:	BOARD OF PUBLIC WORKS	**Effective Date:**	
Attachments:	9086.pdf, 9086 breakdown.pdf	**Enactment Number:**	
Author:	Jim Wolfe, City Engineer	**Hearing Date:**	
Entered by:	hfleegel@cityofmadison.com	**Published Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	11/02/2023	Refer	BOARD OF PUBLIC WORKS	11/08/2023	11/08/2023	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 11/8/2023						
1	BOARD OF PUBLIC WORKS	11/08/2023	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Ald. Slack, seconded by Williams, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						

Text of Legislative File 80657

Fiscal Note

Budget authority is available in the Acct. Nos. listed on the attached.

Title

Awarding Public Works Contract No. 9086, Metro Transit Hanson Rd. Bus Facility Remodel. (District 17)

Body

BE IT RESOLVED, that the following low bids for miscellaneous improvements be accepted and that the Mayor and City Clerk be and are hereby authorized and directed to enter into a contract with the low bidder contained herein, subject to the Contractor's compliance with Section 39.02 of the Madison General Ordinances concerning compliance with the Affirmative

Action provisions **and subject to the Contractor's compliance with Section 33.07 of the Madison General Ordinances regarding Best Value Contracting:**

BE IT FURTHER RESOLVED, that the funds be encumbered to cover the cost of the projects contained herein.

See attached document (Contract No. 9086) for itemization of bids.

METRO TRANSIT HANSON RD. BUS FACILITY REMODEL
CONTRACT NO. 9086
DATE: 10/26/23
PREQUALIFICATION: 425

CONTRACTORS	TOTAL BID	PREQUALIFICATION STATUS
Riley Construction Company, Inc.	$16,099,708.00	OK
Tri-North Builders, Inc.	$16,165,000.00	OK
Joe Daniels Construction Co., Inc.	$16,612,219.00	OK
Engineering Estimate	$18,975,000.00	

PROJECT	CONTRACTOR	AMOUNT OF BID
CONTRACT NO. 9086 METRO TRANSIT HANSON RD. BUS FACILITY REMODEL		
	RILEY CONSTRUCTION COMPANY, INC.	$16,099,708.00
Acct. No. 10950-85-140-114403: 54210 (91065)	$16,099,708.00	
Contingency 8%+	1,287,972.00	
GRAND TOTAL	$17,387,680.00	

City of Madison

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Madison, WI 53703
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Master

File Number: 80658

File ID:	80658	**File Type:**	Resolution	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	BOARD OF PUBLIC WORKS
				File Created Date :	11/01/2023
File Name:	Approving plans and specifications for public improvements necessary for the project known as 2503 Seiferth Road and authorizing construction to be undertaken by the Developer, Private Contract No. 9376.			**Final Action:**	

Title: Approving plans and specifications for public improvements necessary for the project known as 2503 Seiferth Road and authorizing construction to be undertaken by the Developer, Private Contract No. 9376 (District 16)

Notes: Brenda Stanley

Sponsors:	BOARD OF PUBLIC WORKS	**Effective Date:**	
Attachments:	9376 Exhibit.pdf	**Enactment Number:**	
Author:	Jim Wolfe, City Engineer	**Hearing Date:**	
Entered by:	hfleegel@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	11/02/2023	Refer	BOARD OF PUBLIC WORKS	11/08/2023	11/08/2023	
	Action Text:	This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 11/8/2023					
1	BOARD OF PUBLIC WORKS	11/08/2023	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text:	A motion was made by Williams, seconded by Kliems, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.					

Text of Legislative File 80658

Fiscal Note

No City Funds required. Private contract.

Title

Approving plans and specifications for public improvements necessary for the project known as 2503 Seiferth Road and authorizing construction to be undertaken by the Developer, Private Contract No. 9376 (District 16)

Body

WHEREAS, the developer, BSH Storage Madison LLC, has received the City of Madison's conditional approval for an indoor storage facility with approximately 700 units in a building consisting of a basement level and three stories, at 2503 Seiferth Road and,

WHEREAS, Section 16.23(9) of the Madison General Ordinances and the conditions of approval require the developer to install the public improvements necessary to serve the rezoning.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Mayor and City Clerk are hereby authorized and directed to execute a Contract For the Construction of Public Improvements that will be accepted by the City of Madison For 2503 Seiferth Road, with BSH Storage Madison LLC.

2. That the plans and specifications for the public improvements necessary to serve the development are hereby approved.

3. That the developer is authorized to construct the public improvements in accordance with the terms of the Contract For the Construction of Public Improvements That Will be Accepted by the City of Madison at the sole cost of the developer, except as follows: NONE

4. That the Mayor and City Clerk are hereby authorized to sign and grant easements or right-of-way release or procurement documents, maintenance agreements or encroachment agreements, as necessary and grant or accept dedication of lands and/or easements from/to the Developer/Owner for public improvements located outside of existing public fee title or easement right-of-ways.

5. The Common Council is approved to accept ownership of the improvements in the Maintenance Area if a maintenance agreement is executed and recorded as a condition of this contract.

6. The developer shall be permitted to assign this contract for the purposes of obtaining financing in a form to be approved by the City Attorney.

2503 SEIFERTH ROAD

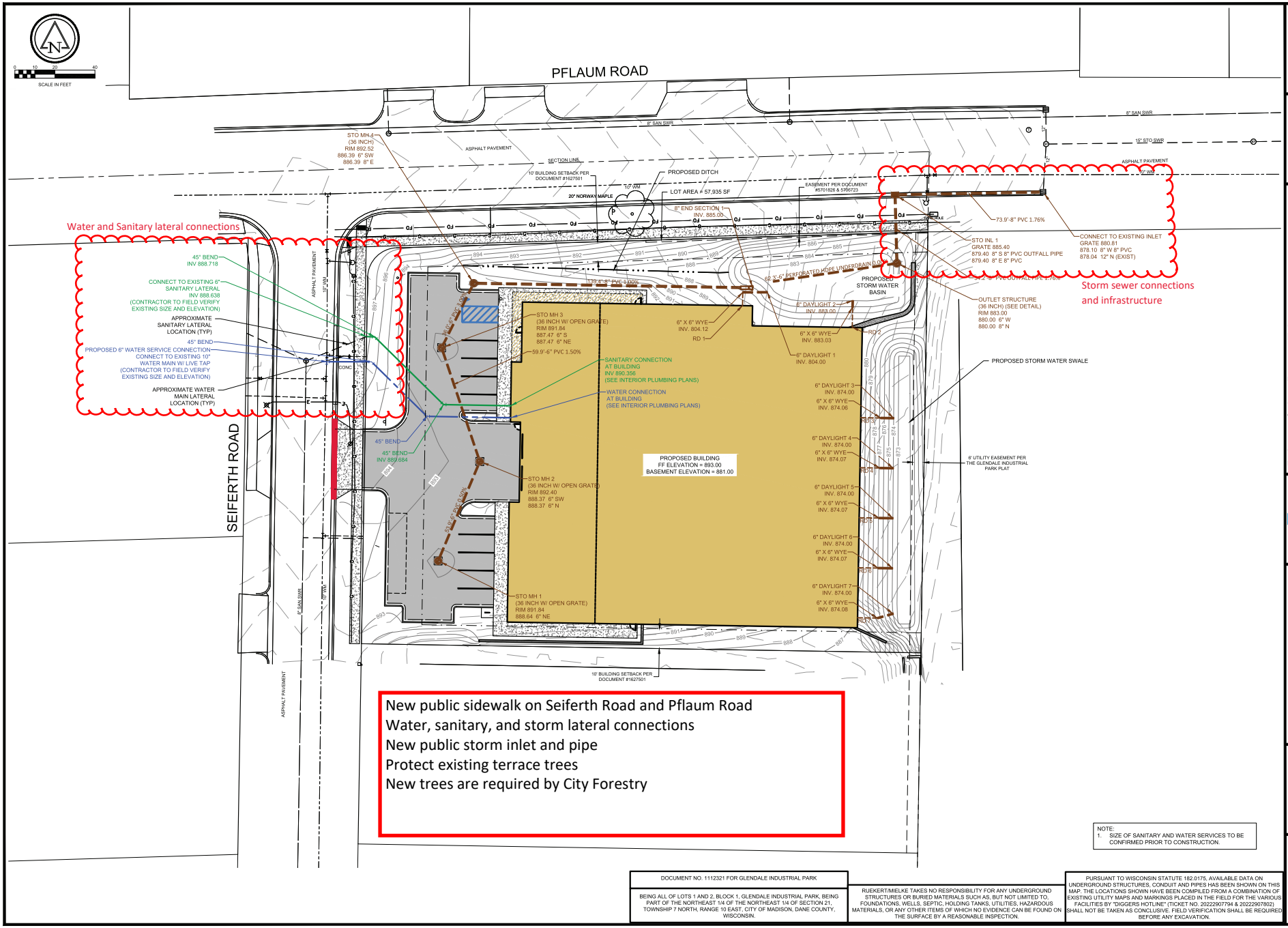
Contract: 9376, Project: 14925

Entity Name: BSH Storage Madison LLC



The developer, BSH Storage Madison LLC, has received the City of Madison's conditional approval for an indoor storage facility with approximately 700 units in a building consisting of a basement level and three stories, at 2503 Seiferth Road.

- Work to be completed with Developer Agreement:
- New sidewalk adjacent to the property on Seiferth Road and Pflaum Road.
- Private sanitary, storm, and water lateral connections to public main.
- Connection into the public storm sewer on Pflaum Road which includes a new inlet, approximately 75-feet of pipe and the connection into an existing inlet.
- Protection of all existing public terrace trees.
- New trees as required by Forestry along Pflaum Road and Seiferth Road.



New public sidewalk on Seiferth Road and Pflaum Road
Water, sanitary, and storm lateral connections
New public storm inlet and pipe
Protect existing terrace trees
New trees are required by City Forestry

NOTE:
1. SIZE OF SANITARY AND WATER SERVICES TO BE CONFIRMED PRIOR TO CONSTRUCTION.

DOCUMENT NO. 1112321 FOR GLENDALE INDUSTRIAL PARK

BEING ALL OF LOTS 1 AND 2, BLOCK 1, GLENDALE INDUSTRIAL PARK, BEING PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 7 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

RUEKERT/MIELKE TAKES NO RESPONSIBILITY FOR ANY UNDERGROUND STRUCTURES OR BURIED MATERIALS SUCH AS, BUT NOT LIMITED TO, FOUNDATIONS, WELLS, SEPTIC, HOLDING TANKS, UTILITIES, HAZARDOUS MATERIALS, OR ANY OTHER ITEMS OF WHICH NO EVIDENCE CAN BE FOUND ON THE SURFACE BY A REASONABLE INSPECTION.

PURSUANT TO WISCONSIN STATUTE 182.0175, AVAILABLE DATA ON UNDERGROUND STRUCTURES, CONDUIT AND PIPES HAS BEEN SHOWN ON THIS MAP. THE LOCATIONS SHOWN HAVE BEEN COMPILED FROM A COMBINATION OF EXISTING UTILITY MAPS AND MARKINGS PLACED IN THE FIELD FOR THE VARIOUS FACILITIES BY "DIGGERS HOTLINE" (TICKET NO. 20222907794 & 20222907802) SHALL NOT BE TAKEN AS CONCLUSIVE. FIELD VERIFICATION SHALL BE REQUIRED BEFORE ANY EXCAVATION.

ISSUE DATE

BSH COMPANIES
DISCOVERY STORAGE
2503 SEIFERTH ROAD
MADISON, WISCONSIN 53716

Ruekert • Mielke

Kaufman Design Group
ARCHITECTURE
9415 E. HARRY ST.
SUITE 405
WICHITA,KS 67207
(316) 618-0448
sally@kdginc.co

SHEET TITLE
UTILITY PLAN

SHEET NUMBER
C107
OF SHEETS

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80660

File ID:	80660	**File Type:**	Resolution	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	BOARD OF PUBLIC WORKS
				File Created Date :	11/01/2023
File Name:	Declaring the City of Madison's intention to exercise its police powers establishing the Lowell Street Assessment District - 2024.			**Final Action:**	

Title: Declaring the City of Madison's intention to exercise its police powers establishing the Lowell Street Assessment District - 2024. (District 13)

Notes: Rachel Dudley

Sponsors:	Tag Evers	**Effective Date:**	
Attachments:		**Enactment Number:**	
Author:	Jim Wolfe, City Engineer	**Hearing Date:**	
Entered by:	hfleegel@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	11/01/2023	Refer	BOARD OF PUBLIC WORKS	11/08/2023	11/08/2023	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 11/8/2023						
1	BOARD OF PUBLIC WORKS	11/08/2023	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Williams, seconded by Kliems, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						

Text of Legislative File 80660

Fiscal Note

No City Funds required.

Title

Declaring the City of Madison's intention to exercise its police powers establishing the Lowell Street Assessment District - 2024. (District 13)

Body

BE IT HEREBY RESOLVED:

1. That the Common Council of the City of Madison hereby establishes an assessment district

known as the Lowell Street Assessment District - 2024, serving Lowell Street from W Lakeside Street to S Shore Drive all in accordance with Section 66.0701 (formerly Section 66.62) of the Wisconsin State Statutes and Section 4.09 of the Madison General Ordinances.

2. That the contemplated purposes of this assessment district is to remove and replace pavement, gravel base, curb and gutter, sidewalk, driveway aprons, pavement markings and install new sanitary sewer main and laterals, and new storm sewer main and laterals.

3. That the benefited properties shall have the opportunity to pay the special assessments which may be levied as a result of this assessment district in eight (8) annual installments, subject to the current interest rate in effect at the time of establishment of the special assessment.

4. That the City Engineer is hereby directed to prepare a report consisting of preliminary or final plans and specifications; an estimate of the entire cost of the proposed work or improvements within the assessment district; a schedule of proposed assessments, constituting an exercise of police power of the City of Madison; and a statement that the property against which the assessments are proposed is benefited.

5. That upon completion of this aforesaid report, the City Engineer shall proceed in accordance with Section 4.09 of the Madison General Ordinances.

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80751

File ID:	80751	**File Type:**	Resolution	**Status:**	Items Referred
Version:	1	**Reference:**		**Controlling Body:**	BOARD OF PUBLIC WORKS
				File Created Date :	11/09/2023
File Name:	Awarding Public Works Contract No. 9361, State Street Campus Garage Mixed-Use Project (District 2)			**Final Action:**	

Title: Awarding Public Works Contract No. 9361, State Street Campus Garage Mixed-Use Project (District 2)

Notes: Maria Delestre

Sponsors:	BOARD OF PUBLIC WORKS	**Effective Date:**	
Attachments:	9361BidOpeningTab.pdf, 9361.pdf	**Enactment Number:**	
Author:	Jim Wolfe, City Engineer	**Hearing Date:**	
Entered by:	hfleegel@cityofmadison.com	**Published Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	11/10/2023	Refer	BOARD OF PUBLIC WORKS	11/20/2023		

Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 11/20/2023
Notes: Board of Public Works (11/20/23), Common Council (11/21/23)

Text of Legislative File 80751

Fiscal Note

Budget authority is available in the Acct. Nos. listed on the attached.

Title

Awarding Public Works Contract No. 9361, State Street Campus Garage Mixed-Use Project (District 2)

Body

BE IT RESOLVED, that the following low bids for miscellaneous improvements be accepted and that the Mayor and City Clerk be and are hereby authorized and directed to enter into a contract with the low bidder and proceed with a contract for work identified as part of the base bid and additive alternate #1 (Hawthorne Court Bridges), subject to the Contractor's compliance with Section 39.02 of the Madison General Ordinances concerning compliance with the Affirmative Action provisions **and subject to the Contractor's compliance with Section 33.07 of the Madison General Ordinances regarding Best Value Contracting**

BE IT FURTHER RESOLVED, that the award and execution of this contract has the following contingencies: City of Madison Common Council approval of the 2024 Capital Improvement Plan and Budget, City of Madison closing on the real estate transaction for the sale of property to the Developer, and procurement of temporary land use easements with the adjacent private property owners. If any of these contingencies are not met, the contract shall not be executed by the City.

See attached document (Contract No. 9361) for itemization of bids.

STATE STREET CAMPUS GARAGE MIXED-USE PROJECT
CONTRACT NO. 9361
DATE: 11/9/23
PREQUALIFICATION: 425

CONTRACTORS	TOTAL BID	BASE Bid	Alternate	PREQUAL STATUS
Stevens Construction Corp.	$36,494,866.00	$36,249,591.00	$245,275.00	OK
Engineering Estimate	$49,300,000.00			
Construction Budget Dollar Value	$49,300,000.00			

PROJECT	CONTRACTOR	AMOUNT OF BID
CONTRACT NO. 9361 STATE STREE CAMPUS GARAGE MIXED-USE PROJECT		
	STEVENS CONSTRUCTION CORP.	$36,494,866.00
Acct. No. 14145-82-140: 53310 (90924)	$36,494,866.00	
Contingency 8%+	2,919,594.00	
GRAND TOTAL	$39,414,460.00	

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 77667

File ID:	77667	**File Type:**	License	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	Clerk's Office
				File Created Date :	05/05/2023
File Name:				**Final Action:**	

Title: Report of Operator License Applications November 21, 2023. See attached report for list of operators.

Notes:

Sponsors:		**Effective Date:**	
Attachments:	Operators for Council Review Set 111523.pdf	**Enactment Number:**	
Author:		**Hearing Date:**	
Entered by:	echristianson@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Clerk's Office	05/05/2023	RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER				

Action Text: This License was RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER

Text of Legislative File 77667

Title

Report of Operator License Applications November 21, 2023. See attached report for list of operators.

Police Review - Submit to Council

Holder Name	License
Antimo Perez, Ana G	LICOPR-2023-00758
Becks, Kristine M	LICOPR-2023-00757
Berenbaum, Devlyn	LICOPR-2023-00759
CRAMER, JOHN	LICOPR-2023-00756
PFLUGER, JULIE	LICOPR-2023-00752
Thatcher, Carly	LICOPR-2023-00744

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80342

File ID:	80342	**File Type:**	Ordinance	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	COMMON COUNCIL EXECUTIVE COMMITTEE
				File Created Date :	10/11/2023
File Name:	Amending Public Comment Alder Question Time Limit			**Final Action:**	

Title: Amending Section 2.29(3) related to Alder question and answer following public comments of the Madison General Ordinances to impose a time limit for each Alder questioning public comment registrants.

Notes: 6801AlderQuestionTimeLimit

Sponsors:	Juliana R. Bennett, John W. Duncan, Dina Nina Martinez-Rutherford, Regina M. Vidaver And Nasra Wehelie	**Effective Date:**	
Attachments:		**Enactment Number:**	
Author:	Michael Haas	**Hearing Date:**	
Entered by:	mglaeser@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	10/11/2023	Referred for Introduction				
	Action Text: This Ordinance was Referred for Introduction						
	Notes: Common Council Executive Committee (11/7/23), Common Council (11/21/23)						
1	COMMON COUNCIL	10/17/2023	Referred	COMMON COUNCIL EXECUTIVE COMMITTEE		11/07/2023	
	Action Text: This Ordinance was Referred to the COMMON COUNCIL EXECUTIVE COMMITTEE						
1	COMMON COUNCIL EXECUTIVE COMMITTEE	11/07/2023	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Fail
	Action Text: A motion was made by Figueroa Cole, seconded by Vidaver, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion failed by the following vote:						
	Notes: A motion was made by Figueroa Cole, seconded by Vidaver, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion failed by the following vote: Figueroa Cole Aye Conklin No						

Vidaver Aye
Govindarajan No
Evers No
Madison No
Currie Non-voting
Bennett Non-voting

Ayes:	2	Yannette Figueroa Coleand Regina M. Vidaver
Noes:	4	Nikki Conklin; MGR Govindarajan; Tag Eversand Sabrina V. Madison
Non Voting:	2	Jael Currieand Juliana R. Bennett

Text of Legislative File 80342

Fiscal Note

No significant fiscal impact.

Title

Amending Section 2.29(3) related to Alder question and answer following public comments of the Madison General Ordinances to impose a time limit for each Alder questioning public comment registrants.

Body

DRAFTER'S ANALYSIS: Currently, alders may question individuals who provide public comments with no time limit. This ordinance establishes a "five-minute rule" similar to that used by the committees of the U. S. House of Representatives. Under the ordinance, each alder has up to five minutes to ask questions and receive answers from each speaker offering public comments. After the alder has finished their question period, regardless of whether they have used their entire five minutes, their opportunity for asking questions of the same speaker is completed. The amendment allows alders to extend their questioning beyond five minutes upon a two-thirds vote of the Common Council.

****

The Common Council of the City of Madison do hereby ordain as follows:

1. Subsection (3) of Section 2.29 entitled "Persons' Right to Address Common Council" of the Madison General Ordinances is amended as follows:

"(3) Except for informational hearings, registrants shall be limited to a three-minute address unless the Common Council agrees by a two-thirds (⅔) vote to extend the time. Following the completion of public comments for each item, Alders may ask questions of registrants for that item. Each alder may question each registrant for up to five minutes, including the time for the registrant's responses. If an alder completes their series of questions in less the five minutes, their remaining time shall be forfeited. An alder's time for asking questions and receiving answers may be extended by a two-thirds (2/3) vote of the Common Council."

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80241

File ID:	80241	**File Type:**	Resolution	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	Department of Planning and Community and Economic Development
				File Created Date :	10/05/2023
File Name:	CSM - 2012-2020 Chadbourne Ave			**Final Action:**	

Title: Approving a Certified Survey Map of property owned by Eric and Joann Eisenhart located at 2012-2020 Chadbourne Avenue, University Heights Historic District (District 5).

Notes:

Sponsors:	Planning Division	**Effective Date:**	
Attachments:	Application.pdf, 2012-2020 Chadbourne Ave CSM.pdf	**Enactment Number:**	
Author:		**Hearing Date:**	
Entered by:	tparks@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Department of Planning and Community and Economic Development	11/15/2023	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER				

Action Text: This Resolution was RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER

Text of Legislative File 80241

Fiscal Note
No City appropriation is required with the approval of this Certified Survey Map. City costs associated with urban development in this area will be included in future operating and capital budgets subject to Common Council approval.

Title
Approving a Certified Survey Map of property owned by Eric and Joann Eisenhart located at

2012-2020 Chadbourne Avenue, University Heights Historic District (District 5).

Body
WHEREAS a Certified Survey Map of property owned by Joann Eisenhart located at 2012-2020 Chadbourne Avenue, City of Madison, Dane County, Wisconsin has been duly filed for approval by the Plan Commission, its Secretary or their designee, as provided for in Section 16.23(4)(f) of Madison General Ordinances; and

WHEREAS the property is located in the University Heights Historic District, therefore requiring that the Landmarks Commission grant a Certificate of Appropriateness for the proposed land division as required by Chapter 41 of Madison General Ordinances; and

WHEREAS Chapter 236, Wisconsin Statutes requires that the Madison Common Council approve any dedications proposed or required as part of the proposed division of the lands contained on said Certified Survey Map;

NOW THEREFORE BE IT RESOLVED that said Certified Survey Map, bond and subdivision contract, subsequent affidavits of correction, parkland acquisition documents, easement or right-of-way release or procurement documents or any other related document or documents as deemed necessary by the Secretary of the Plan Commission in accordance with the approval of said Certified Survey Map are hereby approved by the Madison Common Council.

BE IT FURTHER RESOLVED that the Mayor and City Clerk of the City of Madison are hereby authorized to sign the above mentioned documents related to this Certified Survey Map.

BE IT FURTHER RESOLVED that all dedications included in this Certified Survey Map or required as a condition of approval of this Certified Survey Map be and are hereby accepted by the City of Madison.

BE IT FURTHER RESOLVED that the Planning Division is authorized to reflect the recorded Certified Survey Map in the Comprehensive Plan and any applicable neighborhood plans.

SUBDIVISION APPLICATION

**** Please read both pages of the application completely and fill in all required fields ****

For a digital copy of this form with fillable fields, please visit:
https://www.cityofmadison.com/sites/default/files/city-of-madison/development-services-center/documents/SubdivisionApplication.pdf

If you need an interpreter, translator, materials in alternate formats or other accommodations to access these forms, please call the Planning Division at (608) 266-4635.

Si necesita interprete, traductor, materiales en diferentes formatos, u otro tipo de ayuda para acceder a estos formularios, por favor llame al (608) 266-4635.

Yog tias koj xav tau ib tug neeg txhais lus, tus neeg txhais ntawv, los sis xav tau cov ntaub ntawv ua lwm hom ntawv los sis lwm cov kev pab kom paub txog cov lus qhia no, thov hu rau Koog Npaj (Planning Division) (608) 266-4635.

City of Madison
Planning Division
Madison Municipal Building, Suite 017
215 Martin Luther King, Jr. Blvd.
P.O. Box 2985
Madison, WI 53701-2985
(608) 266-4635

NOTICE REGARDING LOBBYING ORDINANCE: If you are seeking approval of a development that has over 40,000 square feet of non-residential space, or a residential development of over 10 dwelling units, or if you are seeking assistance from the City with a value of $10,000 (including grants, loans, TIF or similar assistance), then you likely are subject to Madison's lobbying ordinance (M.G.O. Sec. 2.40). You are required to register and report your lobbying. Please consult the City Clerk's Office for more information. Failure to comply with the lobbying ordinance may result in fines.

1. Application Type

☐ Preliminary Subdivision Plat ☐ Final Subdivision Plat ☒ Land Division/Certified Survey Map (CSM)

If a Plat, Proposed Subdivision Name: _____

2. Review Fees

- For Preliminary and/or Final Plats, an application fee of $250, plus $50 per lot or outlot contained on the plat.
- For Certified Survey Maps, an application fee of $250 plus $200 per lot and outlot contained on the CSM.

Make checks payable to "City Treasurer" and mail it to the following address: City of Madison Building Inspection; P.O. Box 2984; Madison, WI 53701-2984. Please include a cover page with the check which includes the project address, brief description of the project, and contact information.

3. Property Owner and Agent Information

Name of Property Owner: Eric & Joann Eisenhart Representative, if any: _____

Street address: 2020 Chadbourne Ave City/State/Zip: Madison/ WI / 53726

Telephone: 860-501-2103 Email: ejbizmail@gmail.com

Firm Preparing Survey: Williamson Surveying Contact: chris adams

Street address: 104A W. Main St City/State/Zip: Waunakee / WI / 53597

Telephone: 608-255-5705 Email: chris@williamsonsurveying.com

Check only ONE – ALL Correspondence on this application should be sent to: ☐ Property Owner, OR ☒ Survey Firm

4. Property Information for Properties Located within Madison City Limits

Parcel Addresses: 2020 & 2012 Chadbourne Ave

Tax Parcel Number(s): 070922230126 & 070922230134

Zoning District(s) of Proposed Lots: TR-C2 HIS-UH School District: MADISON - WEST

- **Please include a detailed description of the number and use of all proposed lots and outlots in your letter of intent.**

4a. Property Information for For Properties Located *Outside* the Madison City Limits in the City's Extraterritorial Jurisdiction:

Parcel Addresses (note town if located outside City): _____

Date of Approval by Dane County: _____ Date of Approval by Town: _____

- **For an exterritorial request to be scheduled, approval letters from both the Town and Dane County must be submitted.**

5. Subdivision Contents and Description. Complete table as it pertains to your request; do not complete gray areas.

Land Use	Lots	Outlots	Acres
Residential	2		0.39
Retail/Office			
Industrial			

Land Use	Lots	Outlots	Acres
Other (state use):			
Outlots Dedicated to the Public (Parks, Stormwater, etc.)			
Outlots Maintained by a Private Group or Association			
PROJECT TOTALS	2		0.39

6. Required Submittal Materials

Digital (PDF) copies of all items listed below (if applicable) are required. Applicants are to submit each of these documents as *individual PDF files* in an e-mail sent to PCapplications@cityofmadison.com. The transmittal shall include the name of the project and applicant. Note 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. Electronic submittals via file hosting services (such as Dropbox) are *not* allowed. Applicants who are unable to provide the materials electronically should contact the Planning Division at Planning@cityofmadison.com or (608) 266-4635 for assistance.

☒ **A Completed Subdivision Application Form** (i.e. both sides of this form)

☒ **Map Copies** (prepared by a Registered Land Surveyor):

- For Preliminary Plats, the drawings must be drawn to scale and are required to provide all information as set forth in M.G.O. Sec. 16.23 (7)(a).
- For Final Plats, the drawings must be drawn to scale and drawn to the specifications of §236.20, Wis. Stats..
- For Certified Survey Maps (CSMs), the drawings shall include all of the information set forth in M.G.O. Secs. 16.23 (7)(a) and (d), including existing site conditions, the nature of the proposed division and any other necessary data. Utility data (field located or from utility maps) may be provided on a separate map submitted with application.

For Plat & CSMs, in addition to the PDF copy, a digital CADD file shall also be submitted 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 plat, preliminary plat or CSM as submitted: 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 in title and shown on the plat or CSM including wetland & floodplain boundaries.)

☐ **Letter of Intent**: One copy of a letter describing the proposed subdivision or land division in detail including, but not limited to:
N/A

- The number and type/use of the lots and outlots proposed with this subdivision or land division, including any outlots to be dedicated to the public;
- Existing conditions and uses of the property;
- Phasing schedule for the project, and;
- The names of persons involved (property owner(s), subdivider, surveyor, civil engineer, etc.).

* *The letter of intent for a subdivision or land division may be the same as the letter of intent submitted with a concurrent Land Use Application for the same property.*

** *A letter of intent is not required for Subdivision Applications for lot combinations or split duplexes.*

☒ **Report of Title and Supporting Documents:** One copy of a City of Madison standard 60-year Report of Title obtained from a title insurance company as required in M.G.O. Sec. 16.23 and as satisfactory to the Office of Real Estate Services. Note:

- *The Report of Title must have been completed within three (3) months of the submittal date of this application. Title insurance or a title commitment policy are NOT acceptable* (i.e. a Preliminary Title Report or a Record Information Certificate).
- The electronic PDF submittal shall include images of the vesting deeds and all documents listed in the Report of Title.
- *Do not email these files to the City's Office of Real Estate Services*. Send them instead to the email address noted at the top of this page.

☐ **For Surveys Outside the Madison City Limits**: One copy of the approval letters from the town where the property is located *and* Dane County shall be submitted with your request. The Plan Commission may not consider an application within its extraterritorial jurisdiction without prior approval from the town and Dane County.
N/A

7. Applicant Declarations:

The signer attests that the application has been completed accurately and all required materials have been submitted:

Applicant's Printed Name: Chris Adams Signature: _____

Date: 9-25-2023 Interest In Property On This Date: Land Surveyor / Agent

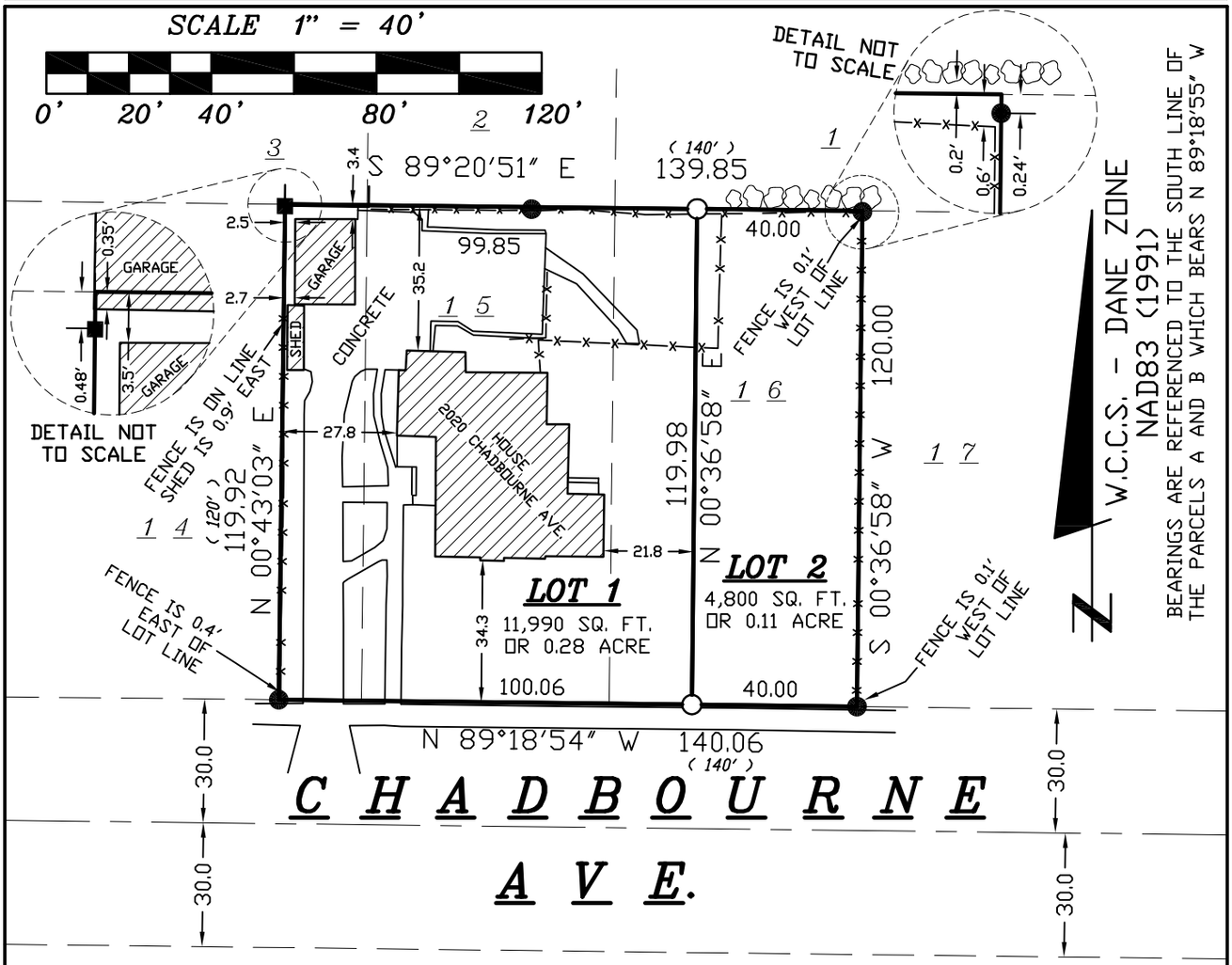
CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC

NOA T. PRIEVE // CHRIS W. ADAMS // NEIL F. BORTZ, PROFESSIONAL LAND SURVEYORS

104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

ALL OF LOTS 15 & 16, THE EAST 20 FEET OF LOT 14, BLOCK 24, UNIVERSITY HEIGHTS, VOL. 1, PAGE 17, DOC. NO. 197136, LOCATED IN THE SW ¼ OF THE NW ¼ OF SECTION 22, T7N, R9E, CITY OF MADISON, DANE COUNTY, WISCONSIN.



LEGEND

- ○ = SET 3/4"x24" REBAR WT 1.5 LB PER LIN FT
- ● = FOUND 3/4" REBAR (UNLESS NOTED)
- ■ = FOUND 1" PIPE (UNLESS NOTED)
- (##) = RECORDED AS
- = ROCK WALL

PREPARED FOR:

ERIC & JOANN EISENHART
2012-2010 CHADBOURNE AVE
MADISON, WI 53726

NOTES:

SEE SHEET 3 FOR ALL NOTES.

SURVEYORS SEAL

DOCUMENT NO._____

CERTIFIED SURVEY MAP NO._____

23W-322

CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC
NOA T. PRIEVE // CHRIS W. ADAMS // NEIL F. BORTZ, PROFESSIONAL LAND SURVEYORS
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

ALL OF LOTS 15 & 16, THE EAST 20 FEET OF LOT 14, BLOCK 24, UNIVERSITY HEIGHTS, VOL. 1, PAGE 17, DOC. NO. 197136, LOCATED IN THE SW ¼ OF THE NW ¼ OF SECTION 22, T7N, R9E, CITY OF MADISON, DANE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, Chris W. Adams, Professional Land Surveyor hereby certify that this survey is correct to the best of the professional surveyor's knowledge and belief and is in full compliance with the provisions of Chapter A-E 7 and Chapter 236.34 Wisconsin Statutes, the subdivision regulations of Dane County, and by the direction of the owners listed below, I have surveyed, divided, and mapped a correct representation of the exterior boundaries of the land surveyed and the division of that land, being all of Lots 15 & 16, the east 20 feet of Lot 14, Block 24, University Heights, recorded in Vol. 1, Page 17, Doc. No. 197136, located in the SW ¼ of the NW ¼ of Section 22, T7N, R9E, City of Madison, Dane County, Wisconsin.

Williamson Surveying and Associates, LLC
by Chris W. Adams

*Date*_____

_____
Chris W. Adams S-2748
Professional Land Surveyor

OWNERS' CERTIFICATE:

As owner, I hereby certify that I caused the land described on this certified survey map to be surveyed, divided, mapped and dedicated as represented on the certified survey map. I also certify that this certified survey map is required to be submitted to the City of Madison for approval.

WITNESS the hand seal of said owners this _____day of_____,20___.

_____
Eric K. Eisenhart

_____
Joann M. Eisenhart

STATE OF WISCONSIN)
DANE COUNTY)

Personally came before me this _____ day of _____, 20___ the above named Eric K. & Joann M. Eisenhart to me known to be the person who executed the foregoing instrument and acknowledge the same.

_____*County, Wisconsin.*

My commission expires _____

_____
Notary Public

_____
Print Name

SURVEYORS SEAL

23W-322

CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC
NOA T. PRIEVE // CHRIS W. ADAMS // NEIL F. BORTZ, PROFESSIONAL LAND SURVEYORS
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

ALL OF LOTS 15 & 16, THE EAST 20 FEET OF LOT 14, BLOCK 24, UNIVERSITY HEIGHTS, VOL. 1, PAGE 17, DOC. NO. 197136, LOCATED IN THE SW ¼ OF THE NW ¼ OF SECTION 22, T7N, R9E, CITY OF MADISON, DANE COUNTY, WISCONSIN.

CITY OF MADISON COMMON COUNCIL:

Resolved that this Certified Survey Map located in the City of Madison was hereby approved by Enactment number_____, File ID Number_____, adopted on the _____ day of _____, 20___, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said Certified Survey Map to the City of Madison for public use.

Dated this _____ day of _____, 20___

_____
Maribeth Witzel-Behl

City of Madison, Dane County

CITY OF MADISON PLAN COMMISSION:

Approved for recording per the Secretary of the City of Madison Plan Commission action of _____ day of _____, 20___

_____
Matt Wachter
Secretary Plan Commission

NOTES:

1.) THIS SURVEY WAS PREPARED WITH A 60 YEAR TITLE REPORT FROM NATIONAL TITLE INSURANCE OF WISCONSIN, INC. FILE No. 23NW01516 DATED SEPT. 17, 2023.

2.) WETLANDS AND FLOOD PLAIN, IF PRESENT, HAVE NOT BEEN DELINEATED OR SHOWN.

3.) LOTS 1 AND 2 OF THIS CSM SHALL BE REQUIRED TO HAVE A SEPARATE SEWER LATERAL AND WATER SERVICE AS PART OF ANY BUILDING PERMIT FOR SAID LOTS.

7.) LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.

REGISTER OF DEEDS:

Received for recording this ___ day of _____, 20___ at ___ o'clock ___.M. and recorded in Volume _____ of Dane County Certified Surveys on pages _____ through _____.

_____
Kristi Chlebowski
Register of Deeds

*DOCUMENT NO.*_____

*CERTIFIED SURVEY MAP NO.*_____

SURVEYORS SEAL

23W-322

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80242

File ID:	80242	**File Type:**	Resolution	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	Department of Planning and Community and Economic Development
				File Created Date :	10/05/2023
File Name:	CSM - 6323-6425 Odana Rd			**Final Action:**	

Title: Approving a Certified Survey Map of property owned by ORR Property Group LLC located at 6323-6425 Odana Road (District 19).

Notes:

Sponsors:	Planning Division	**Effective Date:**	
Attachments:	Application.pdf, Letter of Intent.pdf, 6323-6425 Odana Rd CSM.pdf, Conditional Approval Letter.pdf	**Enactment Number:**	
Author:		**Hearing Date:**	
Entered by:	tparks@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Department of Planning and Community and Economic Development	11/15/2023	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER				

Action Text: This Resolution was RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER

Text of Legislative File 80242

Fiscal Note
No City appropriation is required with the approval of this Certified Survey Map. City costs associated with urban development in this area will be included in future operating and capital budgets subject to Common Council approval.

Title
Approving a Certified Survey Map of property owned by ORR Property Group LLC located at 6323-6425 Odana Road (District 19).

Body
WHEREAS a Certified Survey Map of property owned by ORR Property Group LLC located at 6323-6425 Odana Road, City of Madison, Dane County, Wisconsin has been duly filed for approval by the Plan Commission, its Secretary or his/her designee, as provided for in Section 16.23(5)(g) of Madison General Ordinances; and

WHEREAS Chapter 236, Wisconsin Statutes requires that the Madison Common Council approve any dedications proposed or required as part of the proposed division of the lands contained on said Certified Survey Map;

NOW THEREFORE BE IT RESOLVED that said Certified Survey Map, bond and subdivision contract, subsequent affidavits of correction, parkland acquisition documents, easement or right-of-way release or procurement documents or any other related document or documents as deemed necessary by the Secretary of the Plan Commission in accordance with the approval of said Certified Survey Map are hereby approved by the Madison Common Council.

BE IT FURTHER RESOLVED that the Mayor and City Clerk of the City of Madison are hereby authorized to sign the above mentioned documents related to this Certified Survey Map.

BE IT FURTHER RESOLVED that all dedications included in this Certified Survey Map or required as a condition of approval of this Certified Survey Map be and are hereby accepted by the City of Madison.

BE IT FURTHER RESOLVED that the Planning Division is authorized to reflect the recorded Certified Survey Map in the Comprehensive Plan and any applicable neighborhood plans.

SUBDIVISION APPLICATION

**** Please read both pages of the application completely and fill in all required fields ****

For a digital copy of this form with fillable fields, please visit:
https://www.cityofmadison.com/sites/default/files/city-of-madison/development-services-center/documents/SubdivisionApplication.pdf

If you need an interpreter, translator, materials in alternate formats or other accommodations to access these forms, please call the Planning Division at (608) 266-4635.

Si necesita interprete, traductor, materiales en diferentes formatos, u otro tipo de ayuda para acceder a estos formularios, por favor llame al (608) 266-4635.

Yog tias koj xav tau ib tug neeg txhais lus, tus neeg txhais ntawv, los sis xav tau cov ntaub ntawv ua lwm hom ntawv los sis lwm cov kev pab kom paub txog cov lus qhia no, thov hu rau Koog Npaj (Planning Division) (608) 266-4635.

City of Madison
Planning Division
Madison Municipal Building, Suite 017
215 Martin Luther King, Jr. Blvd.
P.O. Box 2985
Madison, WI 53701-2985
(608) 266-4635

NOTICE REGARDING LOBBYING ORDINANCE: If you are seeking approval of a development that has over 40,000 square feet of non-residential space, or a residential development of over 10 dwelling units, or if you are seeking assistance from the City with a value of $10,000 (including grants, loans, TIF or similar assistance), then you likely are subject to Madison's lobbying ordinance (M.G.O. Sec. 2.40). You are required to register and report your lobbying. Please consult the City Clerk's Office for more information. Failure to comply with the lobbying ordinance may result in fines.

1. Application Type

☐ Preliminary Subdivision Plat ☐ Final Subdivision Plat ☑ Land Division/Certified Survey Map (CSM)

If a Plat, Proposed Subdivision Name: _____

2. Review Fees

- For Preliminary and/or Final Plats, an application fee of $250, plus $50 per lot or outlot contained on the plat.
- For Certified Survey Maps, an application fee of $250 plus $200 per lot and outlot contained on the CSM.

Make checks payable to "City Treasurer" and mail it to the following address: City of Madison Building Inspection; P.O. Box 2984; Madison, WI 53701-2984. Please include a cover page with the check which includes the project address, brief description of the project, and contact information.

3. Property Owner and Agent Information

Name of Property Owner: ORR Property Group LLC
Representative, if any: SARA Investment Real Estate, Jonathan Stevens
Street address: 1955 Atwood Ave., #201, Madison, WI 53704
City/State/Zip: 1955 Atwood Ave., #201, Madison, WI 53704
Telephone: _____
Email: jstevens@sarainvest.com

Firm Preparing Survey: Vierbicher Associates
Contact: Mike Ziehr / Dan Perry
Street address: 999 Fourier Drive, Suite 201
City/State/Zip: Madison, WI 53717
Telephone: 608-821-3962
Email: mzie@vierbicher.com / dper@vierbicher.com

Check only ONE – ALL Correspondence on this application should be sent to: ☐ Property Owner, OR ☑ Survey Firm

4. Property Information for Properties Located within Madison City Limits

Parcel Addresses: 6323, 6325, 6333, 6337, 6401, 6409, 6417 & 6425, Odana Road
Tax Parcel Number(s): 0708-251-0207-6, 0708-251-0206-8, 0708-251-0201-8, 0708-251-0208-4, 0708-251-0202-6, 0708-251-0204-2, 0708-251-0205-0 & 0708-251-0203-4
Zoning District(s) of Proposed Lots: SE (Suburban Employment)
School District: Madison

- **Please include a detailed description of the number and use of all proposed lots and outlots in your letter of intent.**

4a. Property Information for For Properties Located *Outside* the Madison City Limits in the City's Extraterritorial Jurisdiction:

Parcel Addresses (note town if located outside City): N/A
Date of Approval by Dane County: N/A
Date of Approval by Town: N/A

- **For an exterritorial request to be scheduled, approval letters from both the Town and Dane County must be submitted.**

5. Subdivision Contents and Description. Complete table as it pertains to your request; do not complete gray areas.

Land Use	Lots	Outlots	Acres
Residential			
Retail/Office	1		6.36
Industrial			

Land Use	Lots	Outlots	Acres
Other (state use):			
Outlots Dedicated to the Public (Parks, Stormwater, etc.)			
Outlots Maintained by a Private Group or Association			
PROJECT TOTALS			

6. Required Submittal Materials

Digital (PDF) copies of all items listed below (if applicable) are required. Applicants are to submit each of these documents as *individual PDF files* in an e-mail sent to PCapplications@cityofmadison.com. The transmittal shall include the name of the project and applicant. Note 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. Electronic submittals via file hosting services (such as Dropbox) are *not* allowed. Applicants who are unable to provide the materials electronically should contact the Planning Division at Planning@cityofmadison.com or (608) 266-4635 for assistance.

☐ **A Completed Subdivision Application Form** (i.e. both sides of this form)

☐ **Map Copies** (prepared by a Registered Land Surveyor):

- For Preliminary Plats, the drawings must be drawn to scale and are required to provide all information as set forth in M.G.O. Sec. 16.23 (7)(a).
- For Final Plats, the drawings must be drawn to scale and drawn to the specifications of §236.20, Wis. Stats..
- For Certified Survey Maps (CSMs), the drawings shall include all of the information set forth in M.G.O. Secs. 16.23 (7)(a) and (d), including existing site conditions, the nature of the proposed division and any other necessary data. Utility data (field located or from utility maps) may be provided on a separate map submitted with application.

For Plat & CSMs, in addition to the PDF copy, a digital CADD file shall also be submitted 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 plat, preliminary plat or CSM as submitted: 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 in title and shown on the plat or CSM including wetland & floodplain boundaries.)

☐ **Letter of Intent**: One copy of a letter describing the proposed subdivision or land division in detail including, but not limited to:

- The number and type/use of the lots and outlots proposed with this subdivision or land division, including any outlots to be dedicated to the public;
- Existing conditions and uses of the property;
- Phasing schedule for the project, and;
- The names of persons involved (property owner(s), subdivider, surveyor, civil engineer, etc.).

* *The letter of intent for a subdivision or land division may be the same as the letter of intent submitted with a concurrent Land Use Application for the same property.*

** *A letter of intent is not required for Subdivision Applications for lot combinations or split duplexes.*

☐ **Report of Title and Supporting Documents**: One copy of a City of Madison standard 60-year Report of Title obtained from a title insurance company as required in M.G.O. Sec. 16.23 and as satisfactory to the Office of Real Estate Services. Note:

- *The Report of Title must have been completed within three (3) months of the submittal date of this application. Title insurance or a title commitment policy are NOT acceptable* (i.e. a Preliminary Title Report or a Record Information Certificate).
- The electronic PDF submittal shall include images of the vesting deeds and all documents listed in the Report of Title.
- *Do not email these files to the City's Office of Real Estate Services*. Send them instead to the email address noted at the top of this page.

☐ **For Surveys Outside the Madison City Limits**: One copy of the approval letters from the town where the property is located *and* Dane County shall be submitted with your request. The Plan Commission may not consider an application within its extraterritorial jurisdiction without prior approval from the town and Dane County.

7. Applicant Declarations:

The signer attests that the application has been completed accurately and all required materials have been submitted:

Applicant's Printed Name: Michael J. Ziehr Signature: _____

Date: October 02, 2023 Interest In Property On This Date: Land Surveyor

vierbicher
planners | engineers | advisors

Letter of Transmittal

999 Fourier Drive, Suite 201
Madison, Wisconsin 53717
(608) 826-0532 phone
(608) 826-0530 FAX
www.vierbicher.com

Date:	October 02, 2023
Project No.	220035
Re:	SARA Investment, 6337 Odana Road CSM Submittal
File:	

Attn: Tim Parks
To: Dept. of Planning & Community & Economic Development
215 Martin Luther King Jr Blvd., Suite 17
Madison, WI 53703

WE ARE SENDING YOU:

- [x] Attached
- [ ] Under separate cover via _____ the following items:
  - [ ] Shop Drawings
  - [ ] Prints
  - [ ] Plans
  - [ ] Samples
  - [ ] Specifications
  - [ ] Copy of Letter
  - [ ] Change Order
  - [ ] Report

Copies	Date	No.	Description
1	10/02/2023		1-Lot CSM
1	10/02/2023		Subdivision Application Form, Check for Review Fees ($450) sent today
1	10/02/2023		Letter of Intent
1	10/02/2023		60 Year Title Report

THESE ARE TRANSMITTED AS CHECKED BELOW:

- [x] For approval
- [ ] For your use
- [ ] As requested
- [x] For review & comment
- [ ] FOR BIDS DUE: _____ (Date)
- [ ] Approved as submitted
- [ ] Approved as noted
- [ ] Returned for corrections
- [ ] For your file
- [ ] Resubmit _____ copies for approval
- [ ] Submit _____ copies for distribution
- [ ] Return _____ corrected prints
- [ ] _____
- [ ] RETURNED AFTER LOAN TO US

REMARKS:

An electronic copy of this submittal was sent this morning to pcapplications@cityofmadison.com

Please contact us if you need any more information or if you have any questions. Thank you

Copy to _____ Signed Michael J. Ziehr, P.L.S.

If enclosures are not as noted, kindly notify us at once.

vierbicher
planners | engineers | advisors

999 Fourier Drive, Suite 201
Madison, Wisconsin 53717
(608) 826-0532 phone
(608) 826-0530 fax
www.vierbicher.com

October 02, 2023

Mr. Colin Punt
City of Madison
Planning Department
215 Martin Luther King Jr. Blvd
Suite 017
Madison, WI 53703

RE: Letter of Intent
6323-6425 Odana Road
Application for Certified Survey Map

Dear Colin,

Sara Investment Real Estate, LLC is the Owner of the above reference parcels on Odana Road also known as Olde Town Office Park Lots 1-7 and Outlot 1. The site contained seven office buildings and associated parking lots. On June 12, 2023, the City gave conditional approval to demolish the buildings and remove the parking lots. A permitted use site plan application has been submitted for review and approval of a new office building and parking lot improvements.

On September 5, 2023, Common Council approved a previous CSM submittal for this site with a list of conditions (Conditional Approval Letter dated August 2, 2023). Ownership has requested to remove several of the conditions and to record the CSM prior to these conditions being satisfied. Therefore, we are resubmitting the CSM to remove the requirements related to public bike path easement and construction on the west side of the site.

Additionally, the Owner and Applicant understand that future public improvements will be required and that a Developer Agreement will need to be executed prior to obtaining site building permits. Owner is requesting that a “Future Phase Developer Agreement” be drafted for approval with this CSM.

Sincerely,

Daniel N. Perry, PE
608-821-3940
dper@vierbicher.com

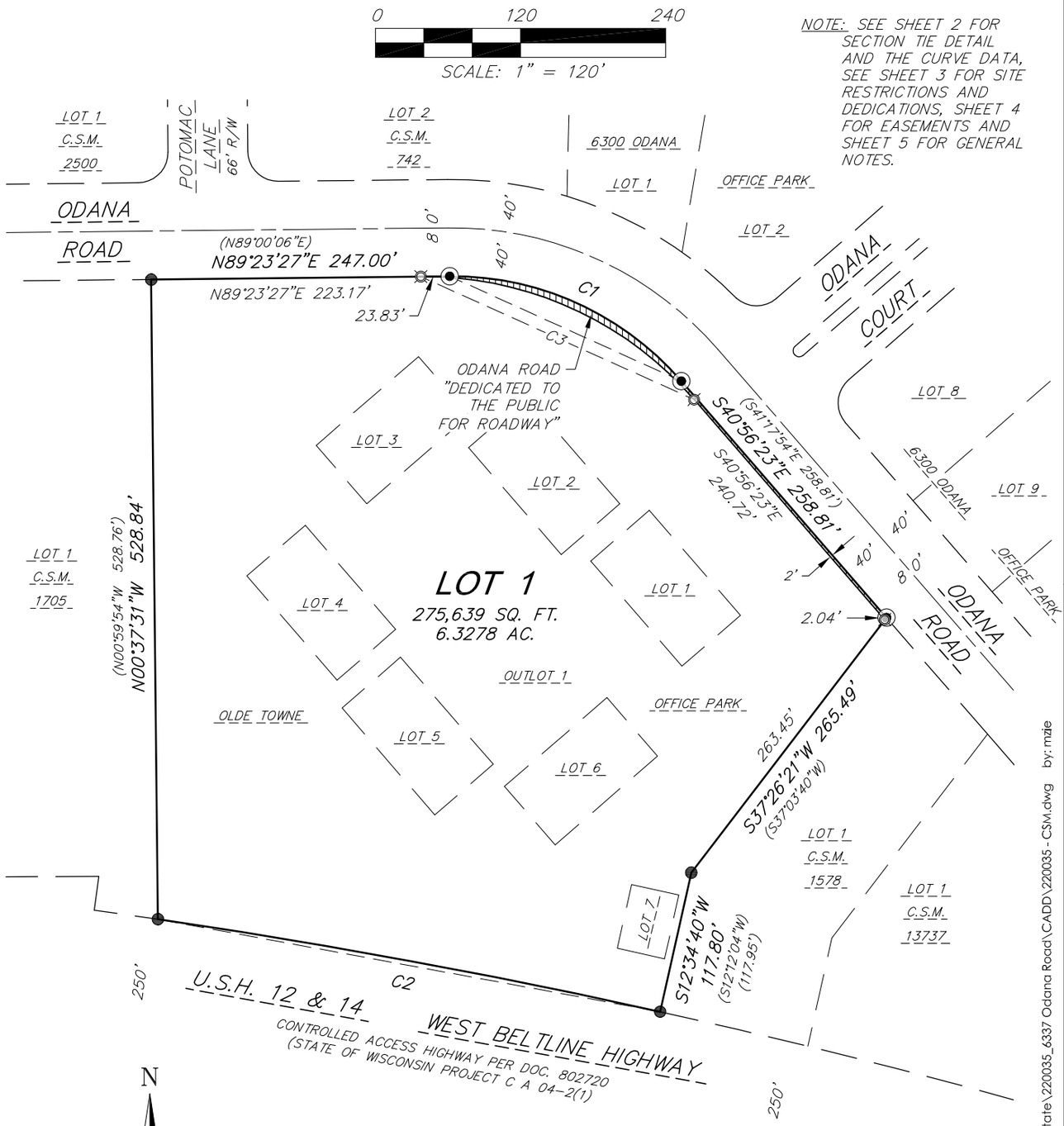
CERTIFIED SURVEY MAP No._____

ALL OF LOTS 1–7 AND ALL OUTLOT 1, OLDE TOWNE OFFICE PARK, AS RECORDED IN VOLUME 46 OF PLATS, ON PAGE 11, AS DOCUMENT NUMBER 1515870, DANE COUNTY REGISTRY AND LOCATED IN THE SW 1/4 OF THE NE 1/4 AND THE NW 1/4 OF THE SE 1/4 OF SECTION 25, T07N, R08E, CITY OF MADISON, DANE COUNTY, WISCONSIN

0 120 240

SCALE: 1" = 120'

NOTE: SEE SHEET 2 FOR SECTION TIE DETAIL AND THE CURVE DATA, SEE SHEET 3 FOR SITE RESTRICTIONS AND DEDICATIONS, SHEET 4 FOR EASEMENTS AND SHEET 5 FOR GENERAL NOTES.





SURVEY LEGEND

- ◉ FOUND 1–1/4" ø IRON ROD
- ● FOUND 3/4" ø IRON ROD
- ⊠ SET 3/4" x 18" SOLID IRON RE–ROD, MIN. WT. 1.50 lbs./ft.
- ( ) INDICATES RECORDED AS

DISTANCES ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT

BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY, WISCONSIN, THE SOUTH LINE OF THE NE 1/4 OF SEC. 25–07–08 MEASURED AS BEARING N89°37'48"E

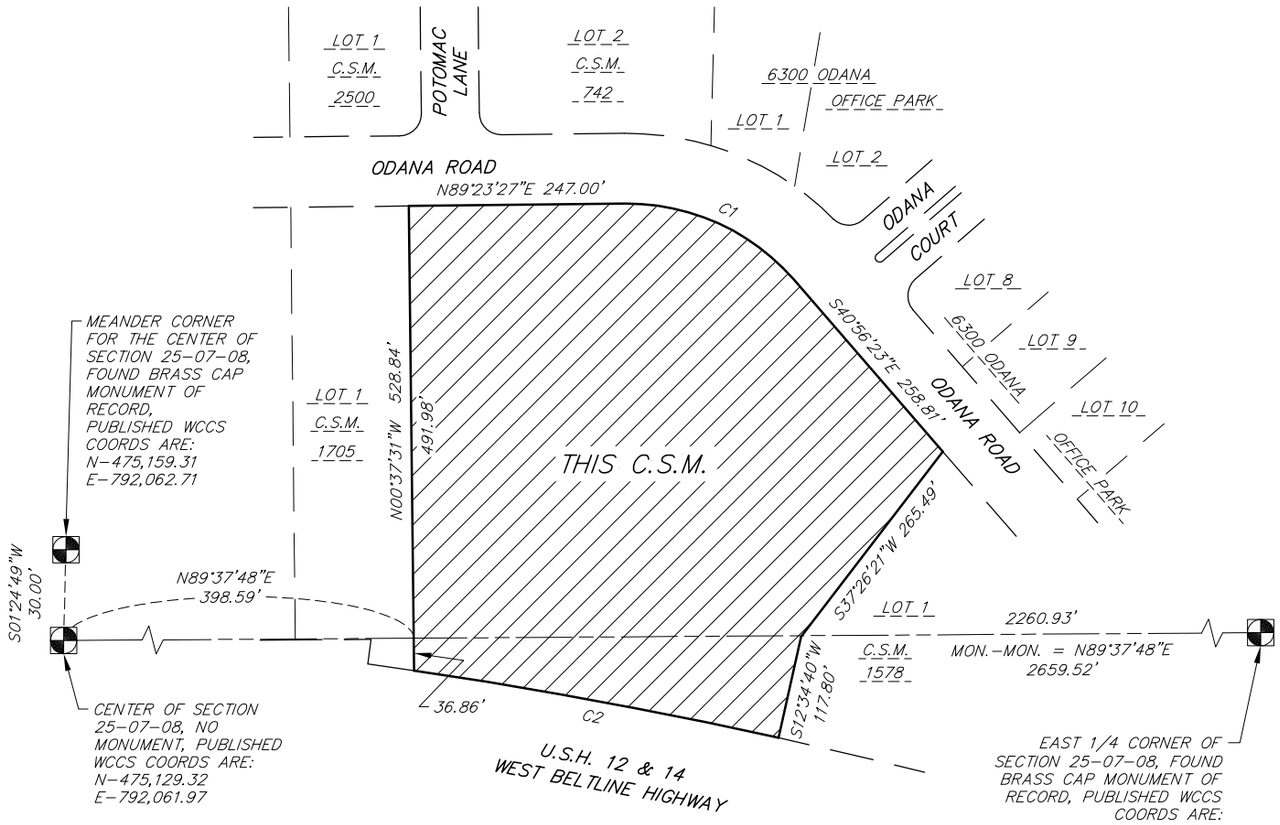
30 Sep 2023 - 2:10p M:\SARA Investment Real Estate\220035_6337 Odana Road\CADD\220035 - CSM.dwg by: mzie

vierbicher
planners | engineers | advisors
Phone: (800) 261-3898

FN: 220035	SURVEYED FOR:	C.S.M. No._____
DATE: 09/30/2023	SARA Investment Real Estate, LLC	Doc. No._____
REV:	1955 Atwood Avenue, Suite 201	Vol._____ Page_____
Drafted By: MZIE	Madison, WI 53704	SHEET 1 OF 6
Checked By: DPER		

CERTIFIED SURVEY MAP No._____

ALL OF LOTS 1–7 AND ALL OUTLOT 1, OLDE TOWNE OFFICE PARK, AS RECORDED IN VOLUME 46 OF PLATS, ON PAGE 11, AS DOCUMENT NUMBER 1515870, DANE COUNTY REGISTRY AND LOCATED IN THE SW 1/4 OF THE NE 1/4 AND THE NW 1/4 OF THE SE 1/4 OF SECTION 25, T07N, R08E, CITY OF MADISON, DANE COUNTY, WISCONSIN



SECTION TIE DETAIL

(NOT TO SCALE)



BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY, WISCONSIN, THE SOUTH LINE OF THE NE 1/4 OF SEC. 25–07–08 MEASURED AS BEARING N89°37'48"E

NOTE:
THE U.S. PUBLIC LAND SURVEY MONUMENTS SHOWN ON THIS C.S.M. HAVE BEEN FOUND AND VERIFIED ALONG WITH THEIR CORRESPONDING WITNESS TIES. THE MONUMENTS AND WITNESS TIES CHECK WITH JORDAN BROST MONUMENT RECORD, DATED 01/03/2020, FOR MEANDER CORNER FOR THE CENTER OF SECTION 25 AND CHRIS ADAMS MONUMENT RECORD, DATED 04/07/2014, FOR THE EAST 1/4 CORNER OF SECTION 25. THE DATE OF FIELD RECOVERY FOR EACH CORNER WAS MARCH 16, 2023.

CURVE DATA

NUMBER	CENTRAL ANGLE	RADIUS	ARC	CHORD BEARING	CHORD	TAN BRG BACK	TAN BRG AHEAD
C1	49°43'42" (49°42'00")	250.00'	216.98'	S 65°39'33" E (S 66°08'54" E)	210.23' (210.12')	N89°28'36"E	S40°47'42"E
C2	04°08'01" (04°08'00")	5854.58'	422.38'	N 79°33'51" W (N 79°57'59" W)	422.29' (422.26')	N77°29'50"W	N81°37'51"W
C3	49°40'11"	295.00'	255.74'	S 65°46'28" E	247.80'	N89°23'27"E	S40°56'23"E

30 Sep 2023 - 1:57p M:\SARA Investment Real Estate\220035_6337 Odana Road\CADD\220035 - CSM.dwg by: mzie

vierbicher
planners | engineers | advisors
Phone: (800) 261-3898

FN: 220035
DATE: 09/30/2023
REV:
Drafted By: MZIE
Checked By: DPER

SURVEYED FOR:
SARA Investment Real Estate, LLC
1955 Atwood Avenue, Suite 201
Madison, WI 53704

C.S.M. No._____
Doc. No._____
Vol._____ Page_____

CERTIFIED SURVEY MAP No._____

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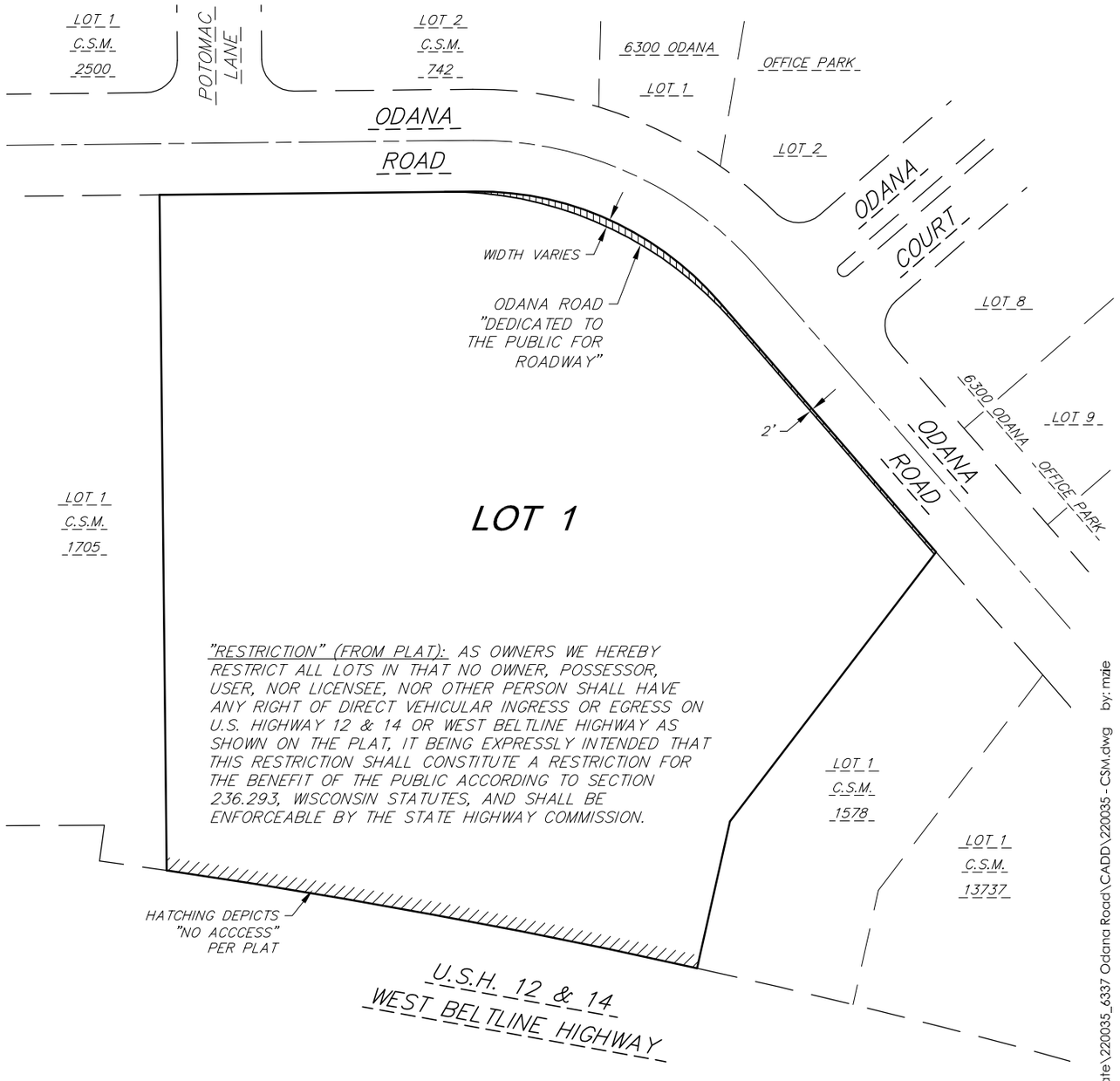
0 120 240

SCALE: 1" = 120'



N

W E

S

SITE RESTRICTIONS AND DEDICATIONS

30 Sep 2023 - 1:58p M:\SARA Investment Real Estate\220035_6337 Odana Road\CADD\220035 - CSM.dwg by: mzie

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Phone: (800) 261-3898

FN: 220035
DATE: 09/30/2023
REV:
Drafted By: MZIE
Checked By: DPER

SURVEYED FOR:
SARA Investment Real Estate, LLC
1955 Atwood Avenue, Suite 201
Madison, WI 53704

C.S.M. No._____
Doc. No._____
Vol._____ Page_____

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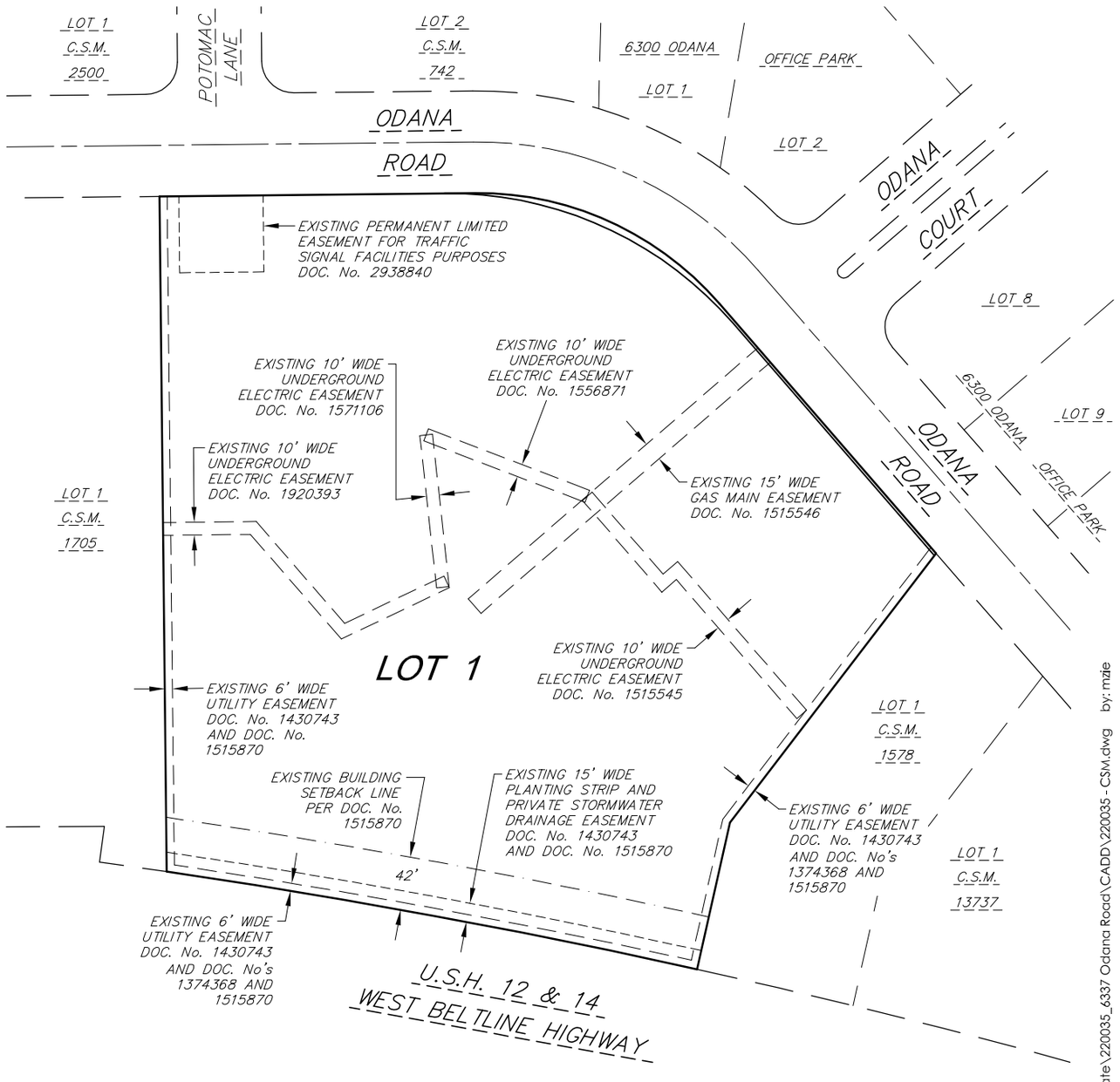
0 120 240

SCALE: 1" = 120'





EXISTING EASEMENTS

30 Sep 2023 - 1:59p M:\SARA Investment Real Estate\220035_6337 Odana Road\CADD\220035 - CSM.dwg by: mzie

vierbicher
planners | engineers | advisors
Phone: (800) 261-3898

FN: 220035
DATE: 09/30/2023
REV:
Drafted By: MZIE
Checked By: DPER

SURVEYED FOR:
SARA Investment Real Estate, LLC
1955 Atwood Avenue, Suite 201
Madison, WI 53704

C.S.M. No._____
Doc. No._____
Vol._____ Page_____

SHEET 4 OF 6

CERTIFIED SURVEY MAP No._____

ALL OF LOTS 1–7 AND ALL OUTLOT 1, OLDE TOWNE OFFICE PARK, AS RECORDED IN VOLUME 46 OF PLATS, ON PAGE 11, AS DOCUMENT NUMBER 1515870, DANE COUNTY REGISTRY AND LOCATED IN THE SW 1/4 OF THE NE 1/4 AND THE NW 1/4 OF THE SE 1/4 OF SECTION 25, T07N, R08E, CITY OF MADISON, DANE COUNTY, WISCONSIN

OWNER'S CERTIFICATE

ORR Property Group LLC, a Wisconsin limited liability company, as owner(s), we hereby certify that we caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on the map hereon. We further certify that this Certified Survey map is required by S236.34 to be submitted to the City of Madison for approval. Witness the hand and seal of said owner this _____ day of _____, 2023.

ORR Property Group LLC

By: _____

State of Wisconsin)
)ss.
County of Dane)

Personally came before me this _____ day of _____, 2023, the above named _____, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

_____ My Commission expires: _____
Notary Public, State of Wisconsin

GENERAL NOTES:

1. This Certified Survey Map is subject to the following:
   –Declarations of Covenants, Conditions and Restrictions of Park Towne, recorded as Document No. 1258523.
   –Declaration of Covenants, Conditions and Restrictions recorded as Document No. 1373566.
   –Declaration of Covenants, Conditions and Restrictions recorded as Document No. 1781968.

30 Sep 2023 - 2:00p M:\SARA Investment Real Estate\220035_6337 Odana Road\CADD\220035 - CSM.dwg by: mzie

vierbicher
planners | engineers | advisors
Phone: (800) 261-3898

FN: 220035
DATE: 09/30/2023
REV:
Drafted By: MZIE
Checked By: DPER

SURVEYED FOR:
SARA Investment Real Estate, LLC
1955 Atwood Avenue, Suite 201
Madison, WI 53704

C.S.M. No._____
Doc. No._____
Vol._____ Page_____

CERTIFIED SURVEY MAP No._____

ALL OF LOTS 1–7 AND ALL OUTLOT 1, OLDE TOWNE OFFICE PARK, AS RECORDED IN VOLUME 46 OF PLATS, ON PAGE 11, AS DOCUMENT NUMBER 1515870, DANE COUNTY REGISTRY AND LOCATED IN THE SW 1/4 OF THE NE 1/4 AND THE NW 1/4 OF THE SE 1/4 OF SECTION 25, T07N, R08E, CITY OF MADISON, DANE COUNTY, WISCONSIN

CITY OF MADISON COMMON COUNCIL RESOLUTION

Resolved that the certified survey map located in the City of Madison was hereby approved by Enactment Number _____, File ID Number _____, adopted on the _____ day of _____, 20_____, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said certified survey map to the City of Madison for public use.

Dated this _____ day of _____, 20_____.

_____
Maribeth Witzel–Behl, City Clerk, City of Madison

CITY OF MADISON PLAN COMMISSION CERTIFICATE

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

By: _____ Date: _____
Matthew Wachter,
Secretary of the Plan Commission

LEGAL DESCRIPTION

All of Lots 1–7 and all of Outlot 1, Olde Towne Office Park, as recorded in Volume 46 of Plats, on page 11, as Document Number 1515870, Dane County Registry and located in the Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter of Section 25, Township 07 North, Range 08 East, City of Madison, Dane County, Wisconsin.

Said description contains 277,112 square feet or 6.3616 acres, more or less.

SURVEYOR'S CERTIFICATE

I, Michael J. Ziehr, Professional Land Surveyor, S–2401, do hereby certify to the best of my knowledge and belief, that I have surveyed, divided and mapped the lands described herein and that the map on sheet one (1) is a correct representation of the exterior boundaries of the land surveyed and the division of that land in accordance with the information provided. I further certify that this Certified Survey Map is in full compliance with Section 236.34 of the Wisconsin State Statutes, Chapter A–E7 of the Wisconsin Administrative Code and the Subdivision Ordinance of the City of Madison in surveying, dividing and mapping the same.

Vierbicher Associates, Inc.
By: Michael J. Ziehr

Date: SEPTEMBER 30, 2023

Signed: "DRAFT"
Michael J. Ziehr, P.L.S. S–2401

REGISTER OF DEEDS CERTIFICATE

Received for recording this _____ day of _____, 2023, at o'clock _____.m. and recorded in Volume _____ of Certified Survey Maps on pages _____, as Doc. No. _____.

_____
Kristi Chlebowski,
Dane County Register of Deeds

30 Sep 2023 - 2:00p M:\SARA Investment Real Estate\220035_6337 Odana Road\CADD\220035 - CSM.dwg by: mzie

vierbicher
planners | engineers | advisors
Phone: (800) 261-3898

FN: 220035 DATE: 09/30/2023 REV: Drafted By: MZIE Checked By: DPER	SURVEYED FOR: SARA Investment Real Estate, LLC 1955 Atwood Avenue, Suite 201 Madison, WI 53704	C.S.M. No._____ Doc. No._____ Vol._____ Page_____

SHEET 6 OF 6

Department of Planning & Community & Economic Development
Planning Division
Heather Stouder, Director
Madison Municipal Building, Suite 017
215 Martin Luther King, Jr. Blvd
P.O. Box 2985
Madison, Wisconsin 53701-2985
Phone: (608) 266-4635
www.cityofmadison.com

November 10, 2023

Jonathan Stevens
Sara Investment Real Estate
1955 Atwood Avenue, Suite 201
Madison, WI 53704
VIA EMAIL

RE: LNDCSM-2023-00033; Legistar ID 80242 – Certified Survey Map – 6323-6425 Odana Road

Jonathan Stevens,

Your one-lot certified survey of property located at 6323 to 6425 Odana Road, Section 25, Township 07N, Range 08E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned SE (Suburban Employment district). The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

Please contact Timothy Troester of the City Engineering Division at 267-1995 if you have questions regarding the following two (2) items:

1. 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)

2. 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)

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

3. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along their frontage of Odana Road where applicable.

Please contact Jeffrey Quamme of the City Engineering Division – Mapping Section at 266-4097 if you have questions regarding the following five (5) items:

6. Release the Declaration of Easements, Covenants, Restrictions and Conditions per Document No.'s 1515871 and 1541879. Provide the recorded document.

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)

8. 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.

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

10. 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, including closed polylines for each lot, 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 Melissa Hermann of the Office of Real Estate Services at mhermann@cityofmadison.com if you have any questions regarding the following two (2) items:

11. OWNER'S CERTIFICATION

Prior to approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate(s) on the CSM shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report.

When possible, the executed original hard stock recordable CSM shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.

12. **TITLE REPORT UPDATE**

Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to ORES via email to Melissa Hermann (mhermann@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 (xx-xx-xx) submitted with the CSM application and include all associated documents that have been recorded since the initial title report.

A title commitment may be provided, but will be considered only as supplementary information to the title report update. Surveyor shall update the CSM with the most recent information reported in the title update. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.

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

A resolution approving the CSM and authorizing the City to sign it and any other documents related to the proposed land division will be reviewed by the Common Council at its November 21, 2023 meeting. Please now follow the procedures listed below for your certified survey map:

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

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

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

If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 243-0554.

Sincerely,

Lisa McNabola

Lisa McNabola
Planner

cc: Timothy Troester, City Engineering Division
Jeffrey Quamme, City Engineering Division–Mapping Section
Sean Malloy, Traffic Engineering
Melissa Hermann, Office of Real Estate Services

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80243

File ID:	80243	**File Type:**	Resolution	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	Department of Planning and Community and Economic Development
				File Created Date :	10/05/2023
File Name:	CSM - 4621 Dutch Mill Rd			**Final Action:**	

Title: Approving a Certified Survey Map of property owned by 4621, LLC and 4701, LLC located at 4621 Dutch Mill Road and 4701 Ellestad Drive (District 16).

Notes:

Sponsors:	Planning Division	**Effective Date:**	
Attachments:	Application.pdf, 4621 Dutch Mill Rd CSM.pdf, Conditional Approval Letter.pdf	**Enactment Number:**	
Author:		**Hearing Date:**	
Entered by:	tparks@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Department of Planning and Community and Economic Development	11/15/2023	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER				

Action Text: This Resolution was RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER

Text of Legislative File 80243

Fiscal Note
No City appropriation is required with the approval of this Certified Survey Map. City costs associated with urban development in this area will be included in future operating and capital budgets subject to Common Council approval.

Title
Approving a Certified Survey Map of property owned by 4621, LLC and 4701, LLC located at 4621 Dutch Mill Road and 4701 Ellestad Drive (District 16).

Body
WHEREAS a Certified Survey Map of property owned by 4621, LLC and 4701, LLC located at 4621 Dutch Mill Road and 4701 Ellestad Drive, City of Madison, Dane County, Wisconsin has been duly filed for approval by the Plan Commission, its Secretary or their designee, as provided for in Section 16.23(4)(f) of Madison General Ordinances; and

WHEREAS Chapter 236, Wisconsin Statutes requires that the Madison Common Council approve any dedications proposed or required as part of the proposed division of the lands contained on said Certified Survey Map;

NOW THEREFORE BE IT RESOLVED that said Certified Survey Map, bond and subdivision contract, subsequent affidavits of correction, parkland acquisition documents, easement or right-of-way release or procurement documents or any other related document or documents as deemed necessary by the Secretary of the Plan Commission in accordance with the approval of said Certified Survey Map are hereby approved by the Madison Common Council.

BE IT FURTHER RESOLVED that the Mayor and City Clerk of the City of Madison are hereby authorized to sign the above mentioned documents related to this Certified Survey Map.

BE IT FURTHER RESOLVED that all dedications included in this Certified Survey Map or required as a condition of approval of this Certified Survey Map be and are hereby accepted by the City of Madison.

BE IT FURTHER RESOLVED that the Common Council authorizes City staff to request approval from the Capital Area Regional Planning Commission of any minor revisions to adopted environmental corridor boundaries within the Central Urban Service Area relating to this land division, and that the Council recognizes and adopts said revised boundaries.

BE IT FURTHER RESOLVED that the Planning Division is authorized to reflect the recorded Certified Survey Map in the Comprehensive Plan and any applicable neighborhood plans.

SUBDIVISION APPLICATION

**** Please read both pages of the application completely and fill in all required fields ****

For a digital copy of this form with fillable fields, please visit:
https://www.cityofmadison.com/sites/default/files/city-of-madison/development-services-center/documents/SubdivisionApplication.pdf

If you need an interpreter, translator, materials in alternate formats or other accommodations to access these forms, please call the Planning Division at (608) 266-4635.

Si necesita interprete, traductor, materiales en diferentes formatos, u otro tipo de ayuda para acceder a estos formularios, por favor llame al (608) 266-4635.

Yog tias koj xav tau ib tug neeg txhais lus, tus neeg txhais ntawv, los sis xav tau cov ntaub ntawv ua lwm hom ntawv los sis lwm cov kev pab kom paub txog cov lus qhia no, thov hu rau Koog Npaj (Planning Division) (608) 266-4635.

City of Madison
Planning Division
Madison Municipal Building, Suite 017
215 Martin Luther King, Jr. Blvd.
P.O. Box 2985
Madison, WI 53701-2985
(608) 266-4635

NOTICE REGARDING LOBBYING ORDINANCE: If you are seeking approval of a development that has over 40,000 square feet of non-residential space, or a residential development of over 10 dwelling units, or if you are seeking assistance from the City with a value of $10,000 (including grants, loans, TIF or similar assistance), then you likely are subject to Madison's lobbying ordinance (M.G.O. Sec. 2.40). You are required to register and report your lobbying. Please consult the City Clerk's Office for more information. Failure to comply with the lobbying ordinance may result in fines.

1. Application Type

☐ Preliminary Subdivision Plat ☐ Final Subdivision Plat ☑ Land Division/Certified Survey Map (CSM)

If a Plat, Proposed Subdivision Name: _____

2. Review Fees

- For Preliminary and/or Final Plats, an application fee of $250, plus $50 per lot or outlot contained on the plat.
- For Certified Survey Maps, an application fee of $250 plus $200 per lot and outlot contained on the CSM. $450 Total

Make checks payable to "City Treasurer" and mail it to the following address: City of Madison Building Inspection; P.O. Box 2984; Madison, WI 53701-2984. Please include a cover page with the check which includes the project address, brief description of the project, and contact information.

3. Property Owner and Agent Information

Name of Property Owner: 4621 LLC & 4701 LLC — Representative, if any: Jeffrey J. Miller
Street address: 12770 W. Silver Spring Dr. — City/State/Zip: Butler, WI 53007-1008
Telephone: (262) 781-4970 — Email: JMiller@kelbebros.com

Firm Preparing Survey: Quam Engineering, LLC — Contact: Matthew E. Hoglund
Street address: 4604 Siggelkow Road - Suite A — City/State/Zip: McFarland, WI 53558
Telephone: (608) 838-7750 — Email: mhoglund@quamengineering.com

Check only ONE – ALL Correspondence on this application should be sent to: ☐ Property Owner, OR ☑ Survey Firm

4. Property Information for Properties Located within Madison City Limits

Parcel Addresses: 4621 Dutch Mill Road & 4701 Ellestad Drive
Tax Parcel Number(s): 251/0710-223-0309-5 & 251/0710-223-0308-7
Zoning District(s) of Proposed Lots: IL - Industrial Limited — School District: Madison Metro School District

- **Please include a detailed description of the number and use of all proposed lots and outlots in your letter of intent.**

4a. Property Information for For Properties Located *Outside* the Madison City Limits in the City's Extraterritorial Jurisdiction:

Parcel Addresses (note town if located outside City): _____
Date of Approval by Dane County: _____ Date of Approval by Town: _____

- **For an exterritorial request to be scheduled, approval letters from both the Town and Dane County must be submitted.**

5. Subdivision Contents and Description. Complete table as it pertains to your request; do not complete gray areas.

Land Use	Lots	Outlots	Acres
Residential			
Retail/Office			
Industrial	1		2.158

Land Use	Lots	Outlots	Acres
Other (state use):			
Outlots Dedicated to the Public (Parks, Stormwater, etc.)			
Outlots Maintained by a Private Group or Association			
PROJECT TOTALS	1		2.158

6. Required Submittal Materials

Digital (PDF) copies of all items listed below (if applicable) are required. Applicants are to submit each of these documents as *individual PDF files* in an e-mail sent to PCapplications@cityofmadison.com. The transmittal shall include the name of the project and applicant. Note 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. Electronic submittals via file hosting services (such as Dropbox) are *not* allowed. Applicants who are unable to provide the materials electronically should contact the Planning Division at Planning@cityofmadison.com or (608) 266-4635 for assistance.

☒ **A Completed Subdivision Application Form** (i.e. both sides of this form)

☒ **Map Copies** (prepared by a Registered Land Surveyor):

- For Preliminary Plats, the drawings must be drawn to scale and are required to provide all information as set forth in M.G.O. Sec. 16.23 (7)(a).
- For Final Plats, the drawings must be drawn to scale and drawn to the specifications of §236.20, Wis. Stats..
- For Certified Survey Maps (CSMs), the drawings shall include all of the information set forth in M.G.O. Secs. 16.23 (7)(a) and (d), including existing site conditions, the nature of the proposed division and any other necessary data. Utility data (field located or from utility maps) may be provided on a separate map submitted with application.

For Plat & CSMs, in addition to the PDF copy, a digital CADD file shall also be submitted 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 plat, preliminary plat or CSM as submitted: 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 in title and shown on the plat or CSM including wetland & floodplain boundaries.)

☐ **Letter of Intent**: One copy of a letter describing the proposed subdivision or land division in detail including, but not limited to:

- The number and type/use of the lots and outlots proposed with this subdivision or land division, including any outlots to be dedicated to the public;
- Existing conditions and uses of the property;
- Phasing schedule for the project, and;
- The names of persons involved (property owner(s), subdivider, surveyor, civil engineer, etc.).

* *The letter of intent for a subdivision or land division may be the same as the letter of intent submitted with a concurrent Land Use Application for the same property.*

** *A letter of intent is not required for Subdivision Applications for lot combinations or split duplexes.*

☒ **Report of Title and Supporting Documents**: One copy of a City of Madison standard 60-year Report of Title obtained from a title insurance company as required in M.G.O. Sec. 16.23 and as satisfactory to the Office of Real Estate Services. Note:

- *The Report of Title must have been completed within three (3) months of the submittal date of this application. Title insurance or a title commitment policy are NOT acceptable* (i.e. a Preliminary Title Report or a Record Information Certificate).
- The electronic PDF submittal shall include images of the vesting deeds and all documents listed in the Report of Title.
- *Do not email these files to the City's Office of Real Estate Services*. Send them instead to the email address noted at the top of this page.

☐ **For Surveys Outside the Madison City Limits**: One copy of the approval letters from the town where the property is located *and* Dane County shall be submitted with your request. The Plan Commission may not consider an application within its extraterritorial jurisdiction without prior approval from the town and Dane County.

7. Applicant Declarations:

The signer attests that the application has been completed accurately and all required materials have been submitted:

Applicant's Printed Name: Jeffrey J. Miller Signature: _____

Date: 9-25-23 Interest In Property On This Date: 100 %

DANE COUNTY
CERTIFIED SURVEY MAP # _____

Lot 9, Ellestad Drive Plat and part of Outlots 9 and 10, Assessor's Plat No. 3 of the Town of Blooming Grove, being a part of the SW 1/4 of the SW 1/4 & the SE 1/4 of the SW 1/4 of Section 22, T.7N., R.10E., City of Madison, Dane County, Wisconsin.

C.S.M. No. _____

Doc. No. _____

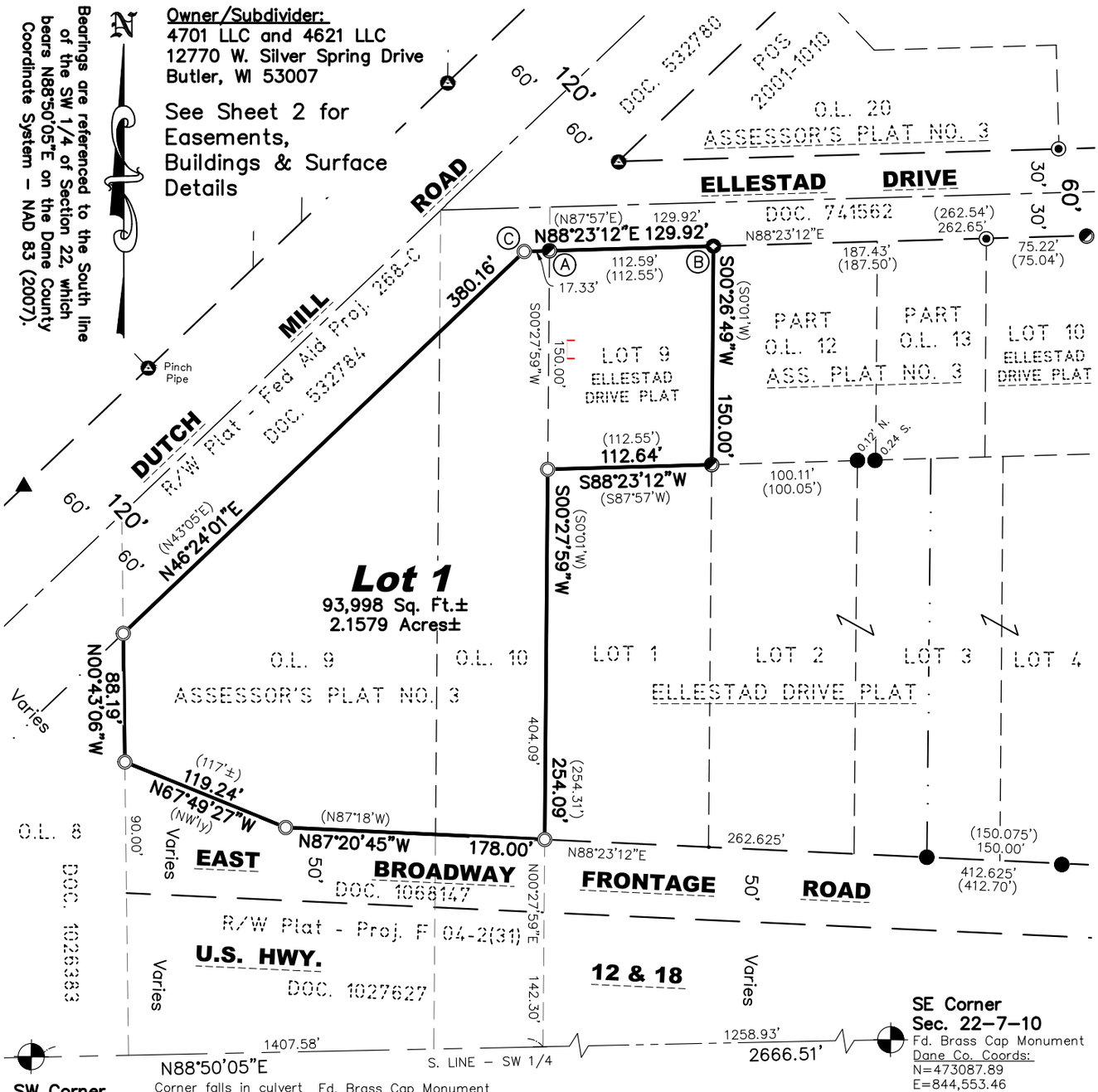
Vol. _____ Page _____

Bearings are referenced to the South line of the SW 1/4 of Section 22, which bears N88°50'05"E on the Dane County Coordinate System – NAD 83 (2007).

N

Owner/Subdivider:
4701 LLC and 4621 LLC
12770 W. Silver Spring Drive
Butler, WI 53007

See Sheet 2 for Easements, Buildings & Surface Details



SW Corner Sec. 22–7–10
Corner falls in culvert
Dane Co. Coords:
N=473,033.66
E=841,887.50

Fd. Brass Cap Monument
Witness Corner
Dane Co. Coords:
N=473,030.66
E=841,887.55

SE Corner Sec. 22–7–10
Fd. Brass Cap Monument
Dane Co. Coords:
N=473087.89
E=844,553.46

GRAPHIC SCALE

0 50 100 200

(IN FEET)

LEGEND

- Found 3/4" Rebar
- Found 1–1/4" Rebar
- Found 1" Iron Pipe
- Found 1–1/4" Iron Pipe
- Found 5/8" Rebar
- Found "PK" Nail
- Set 3/4" by 24" Iron Rebar Weighing 1.5 lbs./ft.
- (110.50') Record Data (if different)
- Boundary Lines per this Survey
- Lot/Survey Line of Record
- Existing R/W Line
- Section Line
- Existing Deed Line

WISCONSIN LAND SURVEYOR
MATTHEW E. HOOLAND
S-2910
EAGLE RIVER, WI
DRAFT
10/2/2020

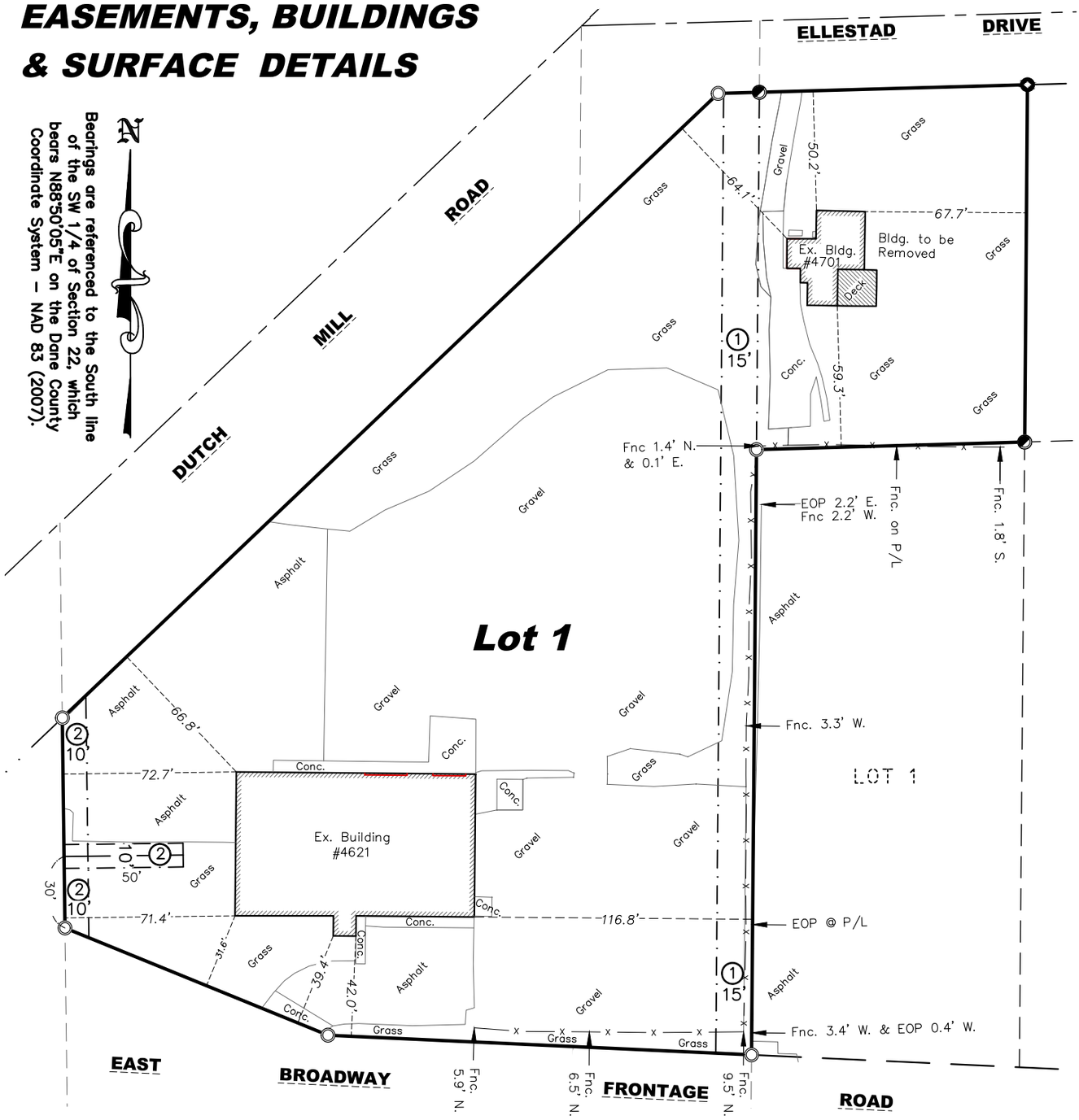
(A) Also a fd. 3/4" rebar lies S57°47'25"E, 0.53' from corner
(B) Also a fd. 1–1/4" rebar lies S05°30'53"E, 0.45' from corner
(C) Position of fd. 1" iron pipe reestablished per POS 2001–1010

QUAM ENGINEERING, LLC
4604 SIGGLEKOW ROAD – SUITE A McFARLAND, WI 53558
608–838–7750 www.quamengineering.com
Project # JM–28–19

DANE COUNTY CERTIFIED SURVEY MAP # _____

Lot 9, Ellestad Drive Plat and part of Outlots 9 and 10, Assessor's Plat No. 3 of the Town of Blooming Grove, being a part of the SW 1/4 of the SW 1/4 & the SE 1/4 of the SW 1/4 of Section 22, T.7N., R.10E., City of Madison, Dane County, Wisconsin.

EASEMENTS, BUILDINGS & SURFACE DETAILS



GRAPHIC SCALE

0 30 60 120

(IN FEET)

LEGEND

- Found 3/4" Rebar
- Found 1-1/4" Rebar
- Found 1" Iron Pipe
- Found 1-1/4" Iron Pipe
- Found 5/8" Rebar
- Found "PK" Nail
- Set 3/4" by 24" Iron Rebar Weighing 1.5 lbs./ft.
- (110.50') Record Data (if different)
- Boundary Lines per this Survey
- Lot/Survey Line of Record
- Existing R/W Line
- Section Line
- Existing Deed Line
- Existing Easement Line
- Existing Fence Line

EASEMENT NOTES:

1. 15' City of Madison Sewer Easement per Doc. 1070037.
2. 10' MG&E Electric Easements per Doc. 1799684.

WISCONSIN LAND SURVEYOR
MATTHEW E. HOCLUND
S-2910
FALL RIVER, WI
10/2/2023
DRAFT

C.S.M. No. _____

Doc. No. _____

Vol. _____ Page _____

Drawn By: MEH
Project # JM-28-22

DANE COUNTY
CERTIFIED SURVEY MAP #_____

Lot 9, Ellestad Drive Plat and part of Outlots 9 and 10, Assessor's Plat No. 3 of the Town of Blooming Grove, being a part of the SW 1/4 of the SW 1/4 & the SE 1/4 of the SW 1/4 of Section 22, T.7N., R.10E., City of Madison, Dane County, Wisconsin.

SURVEYOR'S CERTIFICATE:

I, Matthew E. Hoglund, Professional Land Surveyor, do hereby certify to the best of my knowledge and belief that I have surveyed, divided, and mapped the following Certified Survey of Lot Nine (9) of Ellestad Drive Plat, recorded in Volume 35 of Plats on Page 1 as Document No. 1231220 and part of Outlots Nine (9) and Ten (10) of Assessor's Plat No. 3, Township of Blooming Grove, recorded in Volume 13 of Plats on Pages 13 and 14 as Document No. 777052, being a part the Southwest one-quarter of the Southwest one-quarter and a part the Southeast one-quarter of the Southwest one-quarter, Section 22, Township 7 North, Range 10 East, City of Madison, Dane County, Wisconsin, being more particularly described as follows:

COMMENCING the Southwest corner of said Section 28; thence, along the South line of said Southwest one-quarter, North 89°50'05" East, 1407.58 feet to the Southeast corner of said Outlot 10; thence, along the East line of said Outlot 10, North 00°27'59" East, 142.30 feet to the **POINT OF BEGINNING,** lying on the Northerly right-of-way line of the East Broadway Frontage Road and being the Southwest corner of Lot 1 of said Ellestad Drive Plat and the Northeast corner of the Parcel described in Document No. 1068147;

thence, along said Northerly right-of-way line and the Northerly line of said Parcel described in Document No. 1068147, North 87°20'45" West, 178.00 feet;

thence, continuing along said Northerly right-of-way line and said Northerly line of the Parcel described in Document No. 1068147, North 67°49'27" West, 119.24 feet to a point on the West line of aforesaid Outlot 9;

thence, along said West line, North 00°43'06" West, 88.19 feet to its intersection with the Southeasterly right-of-way line of Dutch Mill Road as conveyed in Document Nos. 532784 and 532780;

thence, along said Southeasterly right-of-way line, North 46°24'01" East, 380.16 feet to its intersection with the South right-of-way line of Ellestad Drive per Document No. 741562;

thence, along said South right-of-way line, North 88°23'12" East, 17.33 feet to the Northwest corner of aforesaid Lot 9 of Ellestad Drive Plat;

thence, continuing along said South right-of-way line, North 88°23'12" East, 112.59 feet to the Northeast corner of said Lot 9;

thence, along the East line of said Lot 9, South 00°26'49" West, 150.00 feet the Southeast corner of said Lot 9;

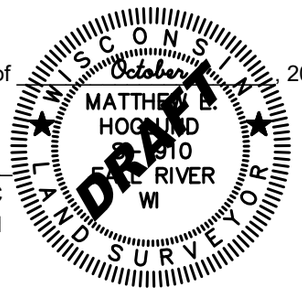
thence, along the South line of said Lot 9, South 88°23'12" West, 112.64 feet the Southwest corner of said Lot 9;

thence, along the line common to aforesaid Outlot 9 and aforesaid Lot 1 of Ellestad Drive Plat, South 00°27'59" West, 254.09 feet to the **POINT OF BEGINNING**;

Said parcel contains 93,998 square feet or 2.1579 acres, more or less, and is subject to all easements and agreements, if any, of record and/or fact.

I further certify, to the best of my knowledge and belief, that this map is a correct representation of all exterior boundaries of the land surveyed and the subdivision thereof made; that I have made such survey, land division, and map by the direction of Jeffrey J. Miller, agent for the owners of said land; that I have fully complied with the provisions of Chapter 236.34 of the Wisconsin State Statutes and the City of Madison Subdivision Regulations in surveying, dividing, and mapping the same.

Dated this 2nd day of October, 2023.



_____
Quam Engineering, LLC
By: Matthew E. Hoglund
P.L.S. S-1910

C.S.M. No. _____

Doc. No. _____

Vol. _____ Page _____

Drawn By: MEH
Project # JM-28-22

DANE COUNTY
CERTIFIED SURVEY MAP #_____

Lot 9, Ellestad Drive Plat and part of Outlots 9 and 10, Assessor's Plat No. 3 of the Town of Blooming Grove, being a part of the SW 1/4 of the SW 1/4 & the SE 1/4 of the SW 1/4 of Section 22, T.7N., R.10E., City of Madison, Dane County, Wisconsin.

CORPORATE OWNERS CERTIFICATE:

4701 LLC, a Wisconsin Limited Liability Company, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that it caused the land described on this Certified Survey Map to be surveyed, divided, mapped, and dedicated as represented on this map. 4701 LLC does further certify that this map is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

City of Madison

IN WITNESS WHEREOF, the said 4701 LLC has caused these presents to be

signed by _____, its _____ and

_____, its _____at _____, _____,

on this _____, day of _____, 20__.

In the presence of: _____ Title: _____
Print Name:

_____ Title: _____
Print Name:

STATE OF WISCONSIN)
COUNTY DANE) SS

Personally came before me this ___ day of _____, 20___, _____,

and _____ of the above named Company, to me known to be the person(s) who executed the foregoing instrument, and to me known to be the _____ and _____of said Company and acknowledged that they executed the foregoing instrument as such officer(s) as the deed of said Company, by its authority.

(Notary Seal) _____ Notary Public, _____, Wisconsin

My commission expires _____.

WISCONSIN
MATTHEW E.
HOOLAND
S-2910
EAU CLAIRE
WI
10/2/2023
LAND SURVEYOR
DRAFT

C.S.M. No. _____

Doc. No. _____

Vol. _____ Page _____

Drawn By: MEH
Project # JM–28–22

DANE COUNTY
CERTIFIED SURVEY MAP #_____

Lot 9, Ellestad Drive Plat and part of Outlots 9 and 10, Assessor's Plat No. 3 of the Town of Blooming Grove, being a part of the SW 1/4 of the SW 1/4 & the SE 1/4 of the SW 1/4 of Section 22, T.7N., R.10E., City of Madison, Dane County, Wisconsin.

CORPORATE OWNERS CERTIFICATE:

4621 LLC, a Wisconsin Limited Liability Company, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that it caused the land described on this Certified Survey Map to be surveyed, divided, mapped, and dedicated as represented on this map. 4621 LLC does further certify that this map is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

City of Madison

IN WITNESS WHEREOF, the said 4621 LLC has caused these presents to be

signed by _____, its _____ and

_____, its _____at _____, _____,

on this _____, day of _____, 20__.

In the presence of: _____ Title: _____
Print Name:

_____ Title: _____
Print Name:

STATE OF WISCONSIN)
COUNTY DANE) SS

Personally came before me this ___ day of _____, 20___, _____,

and _____ of the above named Company, to me known to be the person(s) who executed the foregoing instrument, and to me known to be the _____ and _____of said Company and acknowledged that they executed the foregoing instrument as such officer(s) as the deed of said Company, by its authority.

(Notary Seal) _____ Notary Public, _____, Wisconsin

My commission expires _____.

WISCONSIN
MATTHEW E.
HOOLAND
S-2910
EAU CLAIRE
WI
10/12/2022
LAND SURVEYOR
DRAFT

C.S.M. No. _____

Doc. No. _____

Vol. _____ Page _____

Drawn By: MEH
Project # JM-28-22

DANE COUNTY
CERTIFIED SURVEY MAP #_____

Lot 9, Ellestad Drive Plat and part of Outlots 9 and 10, Assessor's Plat No. 3 of the Town of Blooming Grove, being a part of the SW 1/4 of the SW 1/4 & the SE 1/4 of the SW 1/4 of Section 22, T.7N., R.10E., City of Madison, Dane County, Wisconsin.

CONSENT OF MORTGAGEE:

I, Marilyn K. Miller, as mortgagee of the above-described land, does hereby consent to the surveying, dividing, mapping, and dedication of the land described on this Certified Survey Map, and does hereby consent to the above certificate of 4701 LLC, owner.

IN WITNESS WHEREOF, I, Marilyn K. Miller, has caused these presents to be signed at

_____, Wisconsin on the _____day of _____, 20___.

_____
By: Marilyn K. Miller

STATE OF WISCONSIN)
_____COUNTY) SS

Personally came before me this ___ day of _____, 20___, Marilyn K. Miller , to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

(Notary Seal) _____ Notary Public, _____, Wisconsin

My commission expires _____.

WISCONSIN
MATTHEW E. HOCLUND
S-1910
FALL RIVER
WI
10/2/2023
LAND SURVEYOR
DRAFT

C.S.M. No. _____

Doc. No. _____

Vol. _____ Page _____

Drawn By: MEH
Project # JM-28-22

DANE COUNTY
CERTIFIED SURVEY MAP #_____

Lot 9, Ellestad Drive Plat and part of Outlots 9 and 10, Assessor's Plat No. 3 of the Town of Blooming Grove, being a part of the SW 1/4 of the SW 1/4 & the SE 1/4 of the SW 1/4 of Section 22, T.7N., R.10E., City of Madison, Dane County, Wisconsin.

CITY PLAN COMMISSION CERTIFICATE:

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

_____ _____ _____,
By: Matthew Wachter, Date
Secretary of the Plan Commission

CITY OF MADISON COMMON COUNCIL CERTIFICATE:

Resolved, that this Certified Survey Map located in the City of Madison was hereby approved by Enactment Number _____ , File ID Number _____, adopted on the ____ day of _____, 20___, and said Enactment further provided for the acceptance of those lands dedicated and rights conveyed by said Certified Survey Map to the City of Madison for public use.

Dated this ____ day of _____, 20___.

_____
Maribeth Witzel-Behl, City Clerk
City of Madison, Dane County, Wisconsin



REGISTER OF DEEDS CERTIFICATE:

Received for recording this ___ day of _____, 20___, at _____ o'clock __M. and

recorded in Volume _____of Certified Survey Maps on Pages _____

as Document No. _____.

_____
Kristi Chlebowski, Dane County Register of Deeds

Department of Planning & Community & Economic Development
Planning Division
Heather Stouder, Director
Madison Municipal Building, Suite 017
215 Martin Luther King, Jr. Blvd
P.O. Box 2985
Madison, Wisconsin 53701-2985
Phone: (608) 266-4635
www.cityofmadison.com

November 10, 2023

Matthew Hoglund
Quam Engineering, LLC
4604 Sigglekow Rd, Suite A
McFarland, WI 53558
VIA EMAIL

RE: LNDCSM-2023-00034; Legistar ID 80243 – Certified Survey Map – 4621 Dutch Mill Rd & 4701 Ellestad Dr

Matthew Hoglund,

Your one-lot certified survey of property located at 4621 Dutch Mill Rd & 4701 Ellestad Dr, Section 22, Township 07N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned IL (Industrial Limited) District. The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

Please contact Brenda Stanley of the City Engineering Division at 261-9127 if you have questions regarding the following four (4) items:

1. 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)

2. Construct sidewalk as required to a plan as approved by City Engineer along Dutch Mill Road & Ellestad Drive.

3. 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)

4. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm contact either Tim Troester (West) at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at 608-261-9127 (bstanley@cityofmadison.com) to obtain the final stormwater utility

charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel). (POLICY)

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

5. The applicant shall construct sidewalk along their frontage of Dutch Mill Road and Ellestad Drive according to City issued plan.

Please contact Timothy Sobota of Metro Transit at 261-4289 if you have questions regarding the following three (3) items:

6. As identified on plans submitted for review, the applicant shall maintain or replace the existing concrete bus boarding terrace and curb ramp - as shown in the public right-of-way - at the existing Metro bus stop zone that is on the south side of Dutch Mill Road, west of Ellestad Drive.

7. As identified on plans submitted for review, in coordination with public works improvements, the applicant shall install public sidewalk along the south side of Dutch Mill Road, between the curb ramp east of East Broadway and the curb ramp west of Ellestad Drive.

8. The applicant shall include the location of any of these transit amenities on the final documents filed with their redevelopment permit application, so that Metro Transit may review the design.

Please contact Jeffrey Quamme of the City Engineering Division – Mapping Section at 266-4097 if you have questions regarding the following nine (9) items:

9. 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.

10. Note East-West portion of the existing 10' Madison Gas and Electric Easement per document no. 1799684 as the apparent location. Consider working with Madison Gas and Electric on actually rectifying the discrepancy with an AOC or other document.

11. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of any required U.S. public land survey monument record provided to the County Surveyor’s Office, or, in instances where a public the monuments and witness ties area recovered under A-E 7.08(1g), the Surveyor shall provide to the City of Madison monument condition reports (with current tie sheet attached) for all Public Land Survey monuments, including center of sections of record, used in this survey, to Julius Smith (JSmith4@cityofmadison.com) of City Engineering, Land Information.

12. In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The Surveyor shall identify any deviation from City Master

Control with recorded and measured designations. Visit the Dane County Surveyor's Office (web address https://www.countyofdane.com/PLANDEV/records/surveyor.aspx) for current tie sheets and control data that has been provided by the City of Madison.

13. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM in pdf format must be submitted by email transmittal to Engineering Land Records Coordinator Jule Smith (jsmith4@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.

14. Remove the street name reference of Frontage Road. Change the street name to E Broadway.

15. The South Quarter corner of Sect 22-7-10 appears to be errantly labeled the SE Corner. The coordinates have been shown correctly.

16. Revise the point of commencement from Section 28 to Section 22

17. Submit to Julius Smith, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work, including closed polylines for each lot, 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 Melissa Hermann of the Office of Real Estate Services at mhermann@cityofmadison.com if you have any questions regarding the following two (2) items:

18. OWNER'S CERTIFICATION

Prior to approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate(s) on the CSM shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the

notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report.

19. MORTGAGEE/VENDOR CERTIFICATION

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

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

20. CERTIFICATE AND CONSENT REQUIREMENTS

a. All ownership consents and certifications for the subject lands shall conform to Wis. Stats. 236.21(2) and 236.29 by including the language …surveyed, divided, mapped and dedicated….

b. 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).

c. 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.

d. Madison Common Council Certificate: This certificate is required when dedication of land and the conveyance of rights in land are required. For parcels located within the City of Madison, a Madison Common Council Certificate shall appear as follows:

Resolved that this certified survey map located in the City of Madison was hereby approved by Enactment Number_____, File ID Number _____, adopted on the ____ day of _____, 20__, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said Certified Survey Map to the City of Madison for public use.

Dated this ____ day of _____, 2022

_____
Maribeth L. Witzel-Behl, City Clerk
City of Madison, Dane County Wisconsin

e. City of Madison Plan Commission Certificate: Pursuant to Madison City Ordinance Section 16.23(7)(d)3 and Wis. Stats. 236.21(2)(a), all CSM's that are subject to the review and approval of the City of Madison shall contain the following certificate of approval:

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

By: _____ Date: _____
Matthew Wachter, Secretary of the Plan Commission

f. Register of Deeds Certificate: Please include a space for the Register to hand write the recording info on the date of recording, to appear similar to the following:

Office of the Register of Deeds
Dane County, Wisconsin
Received for recording on _____, 20___ at ____o'clock__M, and
recorded in Volume ___of CSMs on page(s)_____, Document No._____.

_____
Kristi Chlebowski, Register of Deeds

21. TITLE REPORT UPDATE

Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to ORES via email to Melissa Hermann (mhermann@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 (xx-xx-xx) submitted with the CSM application and include all associated documents that have been recorded since the initial title report.

A title commitment may be provided, but will be considered only as supplementary information to the title report update. Surveyor shall update the CSM with the most recent information reported in the title update. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.

22. ADDITIONAL REQUIREMENTS

a. Depict, name, and identify by document number all existing easements cited in record title and the updated title report.

b. Include a complete and accurate legal description of the lands that are to be included in the proposed CSM. The legal description shall be reconciled with the legal description of said lands in record title.

c. Depict and dimension all existing improvements including, but not limited to: buildings, drives, parking lots, encroachments, wells, septic systems, etc. located within the CSM boundary.

d. For properties not connected to municipal utility services, consider whether or not well abandonment ref. NR 141 needs to be addressed.

e. Depict and dimension public easements for utilities and storm water drainage rights-of-way to be dedicated on the proposed CSM where necessary.

f. If all parties of interest agree that certain easements from prior plats or CSM's of record are no longer necessary, the release documents for said easements shall be recorded prior to CSM

approval sign-off, with the recording information for the release included as a Note on the proposed CSM.

g. Liens or judgments levied against the lands within the CSM boundary shall be satisfied, with proof of satisfaction provided prior to CSM approval sign-off.

h. No farming or use of lands to be dedicated to the public for Park purposes shall be allowed unless specifically approved by the Parks Superintendent and permitted under a farm lease administered by ORES. If the lands within the CSM boundary are farmed agricultural lands, the applicant shall enter into a lease with the City for those lands to be dedicated and/or conveyed to the City through CSM recording. Please contact a Real Estate Specialist with ORES to discuss the potential lease terms. Said leases are authorized by Resolution File ID 29183, RES-13-00247, adopted 04-16-13.

i. Create notes that define the purpose of and the ownership of (whether public or private) all outlots. The note for an outlot dedicated to the public shall say: "Dedicated to the public for _____ purposes."

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

A resolution approving the CSM and authorizing the City to sign it and any other documents related to the proposed land division will be reviewed by the Common Council at its November 21, 2023 meeting. Please now follow the procedures listed below for your certified survey map:

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

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

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

If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 243-0554.

Sincerely,

Lisa McNabola
Planner

cc: Brenda Stanley, City Engineering Division
Julius Smith, City Engineering Division–Mapping Section
Sean Malloy, Traffic Engineering
Melissa Hermann, Office of Real Estate Services

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80802

File ID:	80802	**File Type:**	Resolution	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	Department of Planning and Community and Economic Development
				File Created Date :	11/10/2023
File Name:	CSM Re-Approval - 519-547 W Washington Ave			**Final Action:**	

Title: Re-approving a Certified Survey Map of property owned by Virtue, LLC and John and Christine Aufderharr located at 519-547 W Washington Avenue (District 4).

Notes:

Sponsors:	Planning Division	**Effective Date:**	
Attachments:	519-547 W Washington Ave CSM.pdf, 2022 Approval Letter.pdf	**Enactment Number:**	
Author:		**Hearing Date:**	
Entered by:	tparks@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Department of Planning and Community and Economic Development	11/10/2023	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER				

Action Text: This Resolution was RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER

Text of Legislative File 80802

Fiscal Note
No City appropriation is required with the approval of this Certified Survey Map. City costs associated with urban development in this area will be included in future operating and capital budgets subject to Common Council approval.

Title
Re-approving a Certified Survey Map of property owned by Virtue, LLC and John and Christine Aufderharr located at 519-547 W Washington Avenue (District 4).

Body
WHEREAS a Certified Survey Map of property owned by Virtue, LLC and John and Christine Aufderharr located at 519-547 W Washington Avenue, City of Madison, Dane County, Wisconsin has been duly filed for approval by the Plan Commission, its Secretary or their designee, as provided for in Section 16.23(4)(f) of Madison General Ordinances; and

WHEREAS the Common Council previously approved this Certified Survey Map by Resolution 22-00450 (ID 70560) on June 7, 2022; and

WHEREAS Chapter 236, Wisconsin Statutes requires that the Madison Common Council approve any dedications proposed or required as part of the proposed division of the lands contained on said Certified Survey Map;

WHEREAS Wis. Stat. 236.34(2)(b) requires that a Certified Survey Map be offered for recording within twelve (12) months of the approval of same;

NOW THEREFORE BE IT RESOLVED that said Certified Survey Map, bond and subdivision contract, subsequent affidavits of correction, parkland acquisition documents, easement or right-of-way release or procurement documents or any other related document or documents as deemed necessary by the Secretary of the Plan Commission in accordance with the approval of said Certified Survey Map are hereby re-approved by the Madison Common Council subject to the prior conditions of approval.

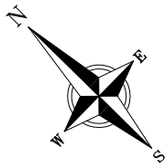
BE IT FURTHER RESOLVED that the Mayor and City Clerk of the City of Madison are hereby authorized to sign the above mentioned documents related to this Certified Survey Map.

BE IT FURTHER RESOLVED that all dedications included in this Certified Survey Map or required as a condition of approval of this Certified Survey Map be and are hereby accepted by the City of Madison.

BE IT FURTHER RESOLVED that the Planning Division is authorized to reflect the recorded Certified Survey Map in the Comprehensive Plan and any applicable neighborhood plans.

CERTIFIED SURVEY MAP No. _____

THE NORTHEAST ONE-HALF (NE ½) OF LOT 2 AND LOTS 3 THROUGH 6 INCLUSIVE, BLOCK 32, ORIGINAL PLAT OF MADISON, AS RECORDED IN VOLUME A OF PLATS, ON PAGE 3, AS DOCUMENT NUMBER 102, DANE COUNTY REGISTRY, LOCATED IN THE SW¼-NE¼ OF SECTION 23, TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.



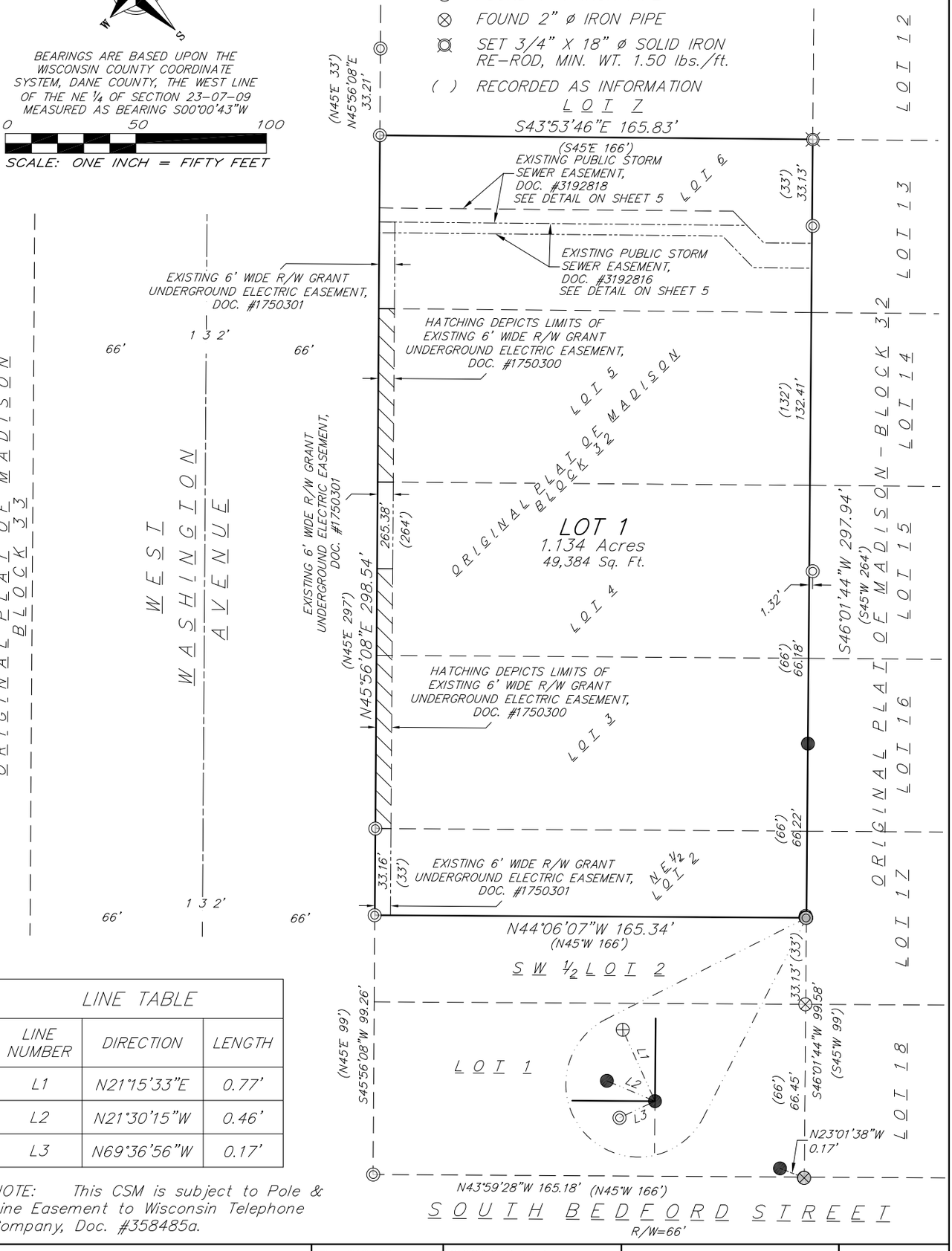
BEARINGS ARE BASED UPON THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY, THE WEST LINE OF THE NE ¼ OF SECTION 23-07-09 MEASURED AS BEARING S00°00'43"W

0 50 100

SCALE: ONE INCH = FIFTY FEET

SURVEY LEGEND

- FOUND 3/4" ø IRON ROD
- FOUND 1" ø IRON PIPE
- FOUND 2" ø IRON PIPE
- SET 3/4" X 18" ø SOLID IRON RE-ROD, MIN. WT. 1.50 lbs./ft.
- ( ) RECORDED AS INFORMATION



LINE TABLE		
LINE NUMBER	DIRECTION	LENGTH
L1	N21°15'33"E	0.77'
L2	N21°30'15"W	0.46'
L3	N69°36'56"W	0.17'

NOTE: This CSM is subject to Pole & Line Easement to Wisconsin Telephone Company, Doc. #358485a.

14 Mar 2022 - 11:16a M:\Madison Property Mgmt\210359_519-547 W Washington Ave\CADD\210359_CSM.dwg by: mmar

vierbicher
planners | engineers | advisors
Phone: (800) 261-3898

FN: 210359
DATE: 03/14/2022
REV:
Drafted By: MMAR
Checked By: MZIE

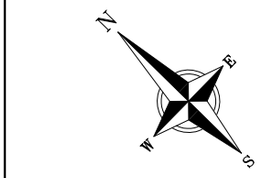
SURVEYED FOR:
MADISON PROPERTY MANAGEMENT, INC.
ATTN: JIM STOPPLE
1202 REGENT STREET
MADISON, WI 53715

C.S.M. No. _____
Doc. No. _____
Vol. _____ Page _____

SHEET 1 OF 6

CERTIFIED SURVEY MAP No. _____

THE NORTHEAST ONE-HALF (NE ½) OF LOT 2 AND LOTS 3 THROUGH 6 INCLUSIVE, BLOCK 32, ORIGINAL PLAT OF MADISON, AS RECORDED IN VOLUME A OF PLATS, ON PAGE 3, AS DOCUMENT NUMBER 102, DANE COUNTY REGISTRY, LOCATED IN THE SW¼-NE¼ OF SECTION 23, TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

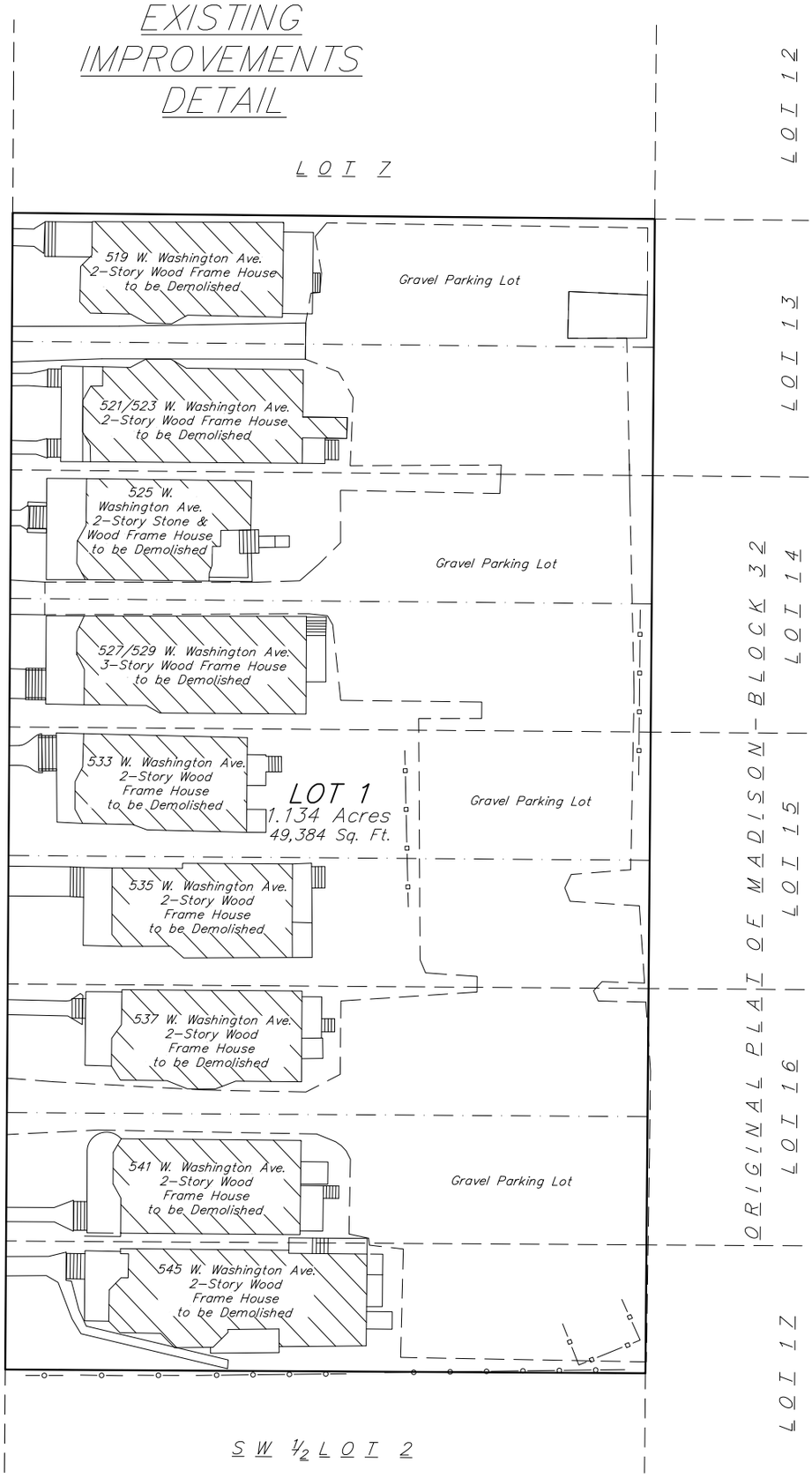


BEARINGS ARE BASED UPON THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY, THE WEST LINE OF THE NE ¼ OF SECTION 23-07-09 MEASURED AS BEARING S00°00'43"W

0 40 80

SCALE: ONE INCH = FORTY FEET

EXISTING IMPROVEMENTS DETAIL



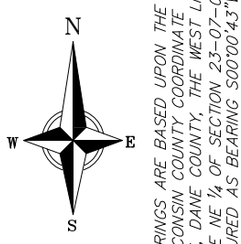
14 Mar 2022 - 11:17a M:\Madison Property Mgmt\210359_519-547 W Washington Ave\CADD\210359_CSM.dwg by: mmar

vierbicher
planners | engineers | advisors
Phone: (800) 261-3898

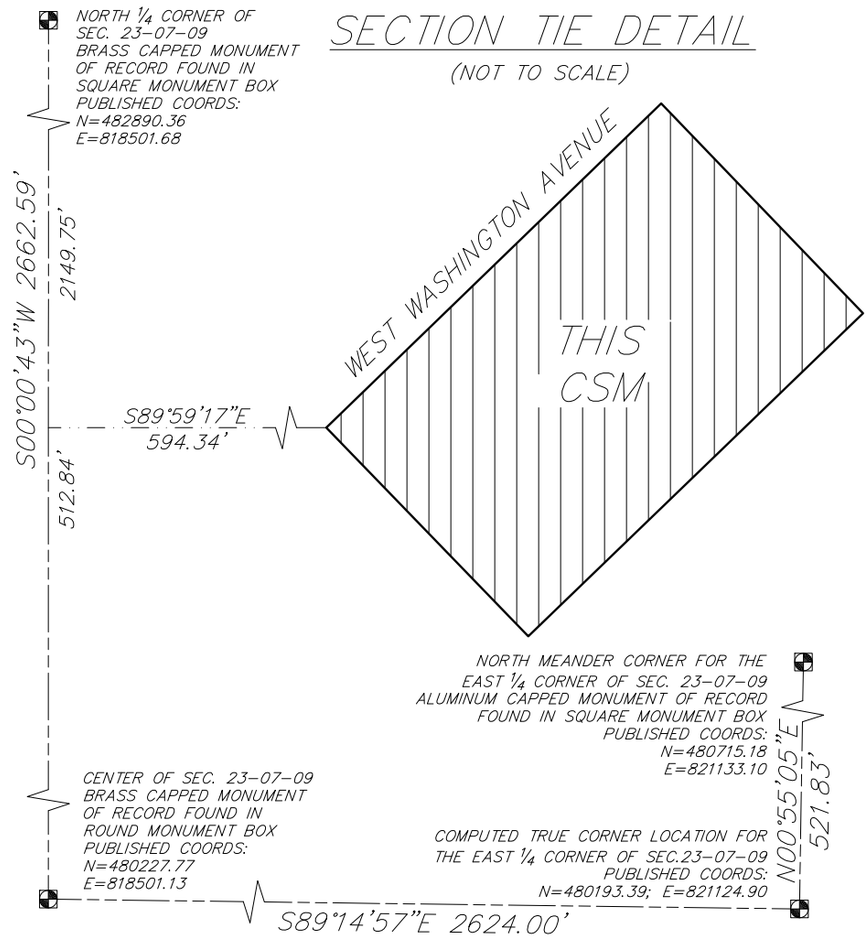
FN: 210359 DATE: 03/14/2022 REV: Drafted By: MMAR Checked By: MZIE	SURVEYED FOR: MADISON PROPERTY MANAGEMENT, INC. ATTN: JIM STOPPLE 1202 REGENT STREET MADISON, WI 53715	C.S.M. No. _____ Doc. No. _____ Vol. _____ Page _____	SHEET 2 OF 6

CERTIFIED SURVEY MAP No._____

THE NORTHEAST ONE-HALF (NE ½) OF LOT 2 AND LOTS 3 THROUGH 6 INCLUSIVE, BLOCK 32, ORIGINAL PLAT OF MADISON, AS RECORDED IN VOLUME A OF PLATS, ON PAGE 3, AS DOCUMENT NUMBER 102, DANE COUNTY REGISTRY, LOCATED IN THE SW¼-NE¼ OF SECTION 23, TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.



BEARINGS ARE BASED UPON THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY, THE WEST LINE OF THE NE ¼ OF SECTION 23-07-09 MEASURED AS BEARING S00°00'43"W



NOTES:

1. I found a brass capped monument in a square monument box, and ties representing the North ¼ Corner of Section 23, T07N, R09E as established on tie sheet by Gregory C. Jones, dated December 16, 2008, and that the points as referenced on said tie sheet are still intact. The date of field survey and monument recovery was February 27, 2022.

2. I found a brass capped monument in a round monument box, and ties representing the Center of Section 23, T07N, R09E, as established on tie sheet by Jeremy R. Sandsness, dated March 05, 2019, and that the points as referenced on said tie sheet are still intact. The date of field survey and monument recovery was February 27, 2022.

3. I found a brass capped monument in a square monument box, and ties representing the North Meander Corner for the East ¼ Corner of Section 23, T07N, R09E, as established on tie sheet by Daniel C. Rodman, dated April 02, 2013, and that the points as referenced on said tie sheet are still intact. The date of field survey and monument recovery was February 27, 2022.

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

5. All lots created by this Certified Survey Map are individually responsible for compliance with Chapter 37 of the Madison General Ordinances in regard to storm water management at the time they develop.

6. No changes to the existing drainage shall be allowed without the approval of the City Engineer.

7. The Joint Driveway Easements recorded as Document No.'s 219722a, 1733259, 1733264, 1734075, 1733251, 1733269, 414736, 237187a, 316525a, 327187a, & 2733027, and the Parking Easement recorded as Document No. 1808718 no longer exist by virtue of merger of title into one unified parcel as a part of this Certified Survey Map and therefore have not been shown.

14 Mar 2022 - 11:18a M:\Madison Property Mgmt\210359_519-547 W Washington Ave\CADD\210359_CSM.dwg by: mmar

vierbicher
planners | engineers | advisors
Phone: (800) 261-3898

FN: 210359 DATE: 03/14/2022 REV: Drafted By: MMAR Checked By: MZIE	SURVEYED FOR: MADISON PROPERTY MANAGEMENT, INC. ATTN: JIM STOPPLE 1202 REGENT STREET MADISON, WI 53715	C.S.M. No._____ Doc. No._____ Vol._____ Page_____	SHEET 3 OF 6

CERTIFIED SURVEY MAP No._____

THE NORTHEAST ONE-HALF (NE ½) OF LOT 2 AND LOTS 3 THROUGH 6 INCLUSIVE, BLOCK 32, ORIGINAL PLAT OF MADISON, AS RECORDED IN VOLUME A OF PLATS, ON PAGE 3, AS DOCUMENT NUMBER 102, DANE COUNTY REGISTRY, LOCATED IN THE SW¼-NE¼ OF SECTION 23, TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

OWNER'S CERTIFICATE

Virtue, LLC, as owner, does hereby certify that we caused the land described on this Certified Survey Map to be surveyed, divided, mapped, and dedicated as represented hereon. Virtue, LLC does further certify that this Certified Survey Map is required by S.236.34 of the State Statutes to be submitted to the Common Council, City of Madison for approval. Witness the hand and seal of said owner this ___ day of _____, 2022.

By: _____
Virtue, LLC
By: James Stopple, Managing Member

STATE OF WISCONSIN)
)ss
DANE COUNTY)

Personally came before me this_____ day of_____, 2022, James Stopple, Managing Member, to me known to be the person who executed the foregoing instrument, and acknowledged the same.

_____
Notary Public, State of Wisconsin

My Commission Expires/Is Permanent: _____

OWNER'S CERTIFICATE

John Aufderhaar and Christine Aufderharr, as owners, do hereby certify that we caused the land described on this Certified Survey Map to be surveyed, divided, mapped, and dedicated as represented hereon. John Aufderhaar and Christine Aufderharr do further certify that this Certified Survey Map is required by S.236.34 of the State Statutes to be submitted to the Common Council, City of Madison for approval. Witness the hand and seal of said owner this ___ day of _____, 2022.

By: _____ By: _____
John Aufderhaar Christine Aufderhaar

STATE OF WISCONSIN)
)ss
DANE COUNTY)

Personally came before me this_____ day of_____, 2022, John Aufderhaar and Christine Aufderhaar, to me known to be the persons who executed the foregoing instrument, and acknowledged the same.

_____
Notary Public, State of Wisconsin

My Commission Expires/Is Permanent: _____

CONSENT OF MORTGAGEE

_____, a banking association duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping, and dedicating of the land described on this Certified Survey Map and does hereby consent to the Owner's Certificate.

IN WITNESS WHEREOF, the said _____, has caused these presents to be signed by _____, its _____, at _____, Wisconsin, on this _____ day of _____, 20_____.

_____

By: _____

State of Wisconsin)
)ss.
County of Dane)

Personally came before me this _____ day of _____, 20_____, _____, of the above named banking association, to me known to be the persons who executed the foregoing instrument, and to me known to be such _____ of said banking association, and acknowledged that they executed the foregoing instrument as such officer as the deed of said banking association, by its authority.

_____
Notary Public, State of Wisconsin

My Commission expires:_____

14 Mar 2022 - 11:18a M:\Madison Property Mgmt\210359_519-547 W Washington Ave\CADD\210359_CSM.dwg by: mmar

vierbicher
planners | engineers | advisors
Phone: (800) 261-3898

FN: 210359
DATE: 03/14/2022
REV:
Drafted By: MMAR
Checked By: MZIE

SURVEYED FOR:
MADISON PROPERTY MANAGEMENT, INC.
ATTN: JIM STOPPLE
1202 REGENT STREET
MADISON, WI 53715

C.S.M. No._____
Doc. No._____
Vol._____ Page_____

CERTIFIED SURVEY MAP No._____

THE NORTHEAST ONE–HALF (NE ½) OF LOT 2 AND LOTS 3 THROUGH 6 INCLUSIVE, BLOCK 32, ORIGINAL PLAT OF MADISON, AS RECORDED IN VOLUME A OF PLATS, ON PAGE 3, AS DOCUMENT NUMBER 102, DANE COUNTY REGISTRY, LOCATED IN THE SW¼–NE¼ OF SECTION 23, TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

LEGAL DESCRIPTION:

The Northeast One–half (NE ½) of Lot 2 and Lots 3 through 6 inclusive, Block Thirty–two (32) Original Plat of Madison, as recorded in Volume A of Plats, on Pages 3, as Document Number 102, Dane County Registry, located in the SW ¼ – NE ¼ of Section 23, Township 07 North, Range 09 East, City of Madison, Dane County, Wisconsin, being more fully described as follows:

Commencing at the North Quarter (N ¼) corner of said Section 23; thence S00°00'43"W along the West line of the Northeast Quarter (NE ¼) of said Section 23, 2149.75 feet; thence S89°59'17"E, 594.34 feet to the westerly most corner of the Northeast One–half (NE ½) of said Lot 2, and the point of beginning, said point also lying on the southeasterly right–of–way line of West Washington Avenue; thence N45°56'08"E along said southeasterly right–of–way line and along the northwesterly line of Lots 2 through 6 inclusive, 298.54 feet to the northerly most corner of said Lot 6; thence S43°53'46"E along the northeasterly line of said Lot 6, 165.83 feet to the easterly most corner of said Lot 6; thence S46°01'44"W along the southeasterly line of Lots 2 through 6 inclusive, 297.94 feet to the southerly most corner of the Northeast One–half (NE ½) of said Lot 2; thence N44°06'07"W along the southwesterly line of the Northeast One–half (NE ½) of said Lot 2, 165.34 feet to the point of beginning.

Containing 49,384 square feet or 1.134 acres more or less.

SURVEYOR'S CERTIFICATE:

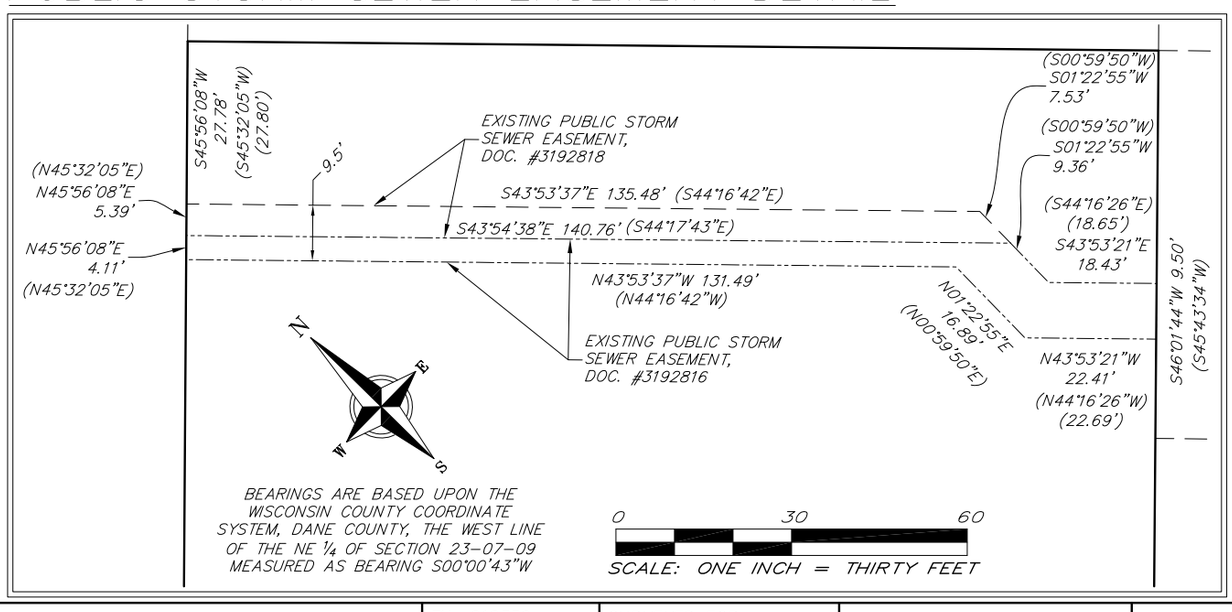
I, Michael S. Marty, Professional Land Surveyor, No. S–2452, do hereby certify to the best of my knowledge and belief, that I have surveyed, divided and mapped the lands described herein under the direction of Flad Development and Investment Corp., Owner, and that the map on sheet one (1) is a correct representation of the exterior boundaries of the land surveyed and the division of that land in accordance with the information provided. I further certify that this Certified Survey Map is in full compliance with Section 236.34 of the Wisconsin State Statutes, Chapter A–E7 of the Wisconsin Administrative Code and the Subdivision Ordinance of the City of Madison in surveying, dividing and mapping the same.

Vierbicher Associates, Inc.
By: Michael S. Marty

Date: March 11th, 2022.

Signed: _____
Michael S. Marty, P.L.S. No. S–2452

PUBLIC STORM SEWER EASEMENT DETAIL



14 Mar 2022 - 11:18a M:\Madison Property Mgmt\210359_519-547 W Washington Ave\CADD\210359_CSM.dwg by: mmar

vierbicher
planners | engineers | advisors
Phone: (800) 261-3898

FN: 210359
DATE: 03/14/2022
REV:
Drafted By: MMAR
Checked By: MZIE

SURVEYED FOR:
MADISON PROPERTY MANAGEMENT, INC.
ATTN: JIM STOPPLE
1202 REGENT STREET
MADISON, WI 53715

C.S.M. No._____
Doc. No._____
Vol._____ Page_____

CERTIFIED SURVEY MAP No._____

THE NORTHEAST ONE-HALF (NE ½) OF LOT 2 AND LOTS 3 THROUGH 6 INCLUSIVE, BLOCK 32, ORIGINAL PLAT OF MADISON, AS RECORDED IN VOLUME A OF PLATS, ON PAGE 3, AS DOCUMENT NUMBER 102, DANE COUNTY REGISTRY, LOCATED IN THE SW¼-NE¼ OF SECTION 23, TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

MADISON PLAN COMMISSION CERTIFICATE:

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

By: _____ Date: _____

Matthew Wachter, Secretary
City of Madison Plan Commission

CITY OF MADISON COMMON COUNCIL RESOLUTION:

Resolved that the Certified Survey Map located in the City of Madison was hereby approved by Enactment Number _____, File ID Number _____, adopted on the _____ day of _____, 202__, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said certified survey map to the City of Madison for public use.

Dated this _____ day of _____, 202__.

_____

Maribeth Witzel-Behl, City Clerk, City of Madison

REGISTER OF DEEDS CERTIFICATE:

Received for recording this _____ day of _____, 20_____, at _____ o'clock _____.m. and recorded in Volume _____ of Certified Survey Maps on pages _____, as Doc. No. _____.

_____

Kristi Chlebowski,
Dane County Register of Deeds

14 Mar 2022 - 11:19a M:\Madison Property Mgmt\210359_519-547 W Washington Ave\CADD\210359_CSM.dwg by: mmar

vierbicher
planners | engineers | advisors
Phone: (800) 261-3898

FN: 210359
DATE: 03/14/2022
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ATTN: JIM STOPPLE
1202 REGENT STREET
MADISON, WI 53715

C.S.M. No._____
Doc. No._____
Vol._____ Page_____

Department of Planning & Community & Economic Development
Planning Division
Heather Stouder, Director
Madison Municipal Building, Suite 017
215 Martin Luther King, Jr. Blvd
P.O. Box 2985
Madison, Wisconsin 53701-2985
Phone: (608) 266-4635
www.cityofmadison.com

May 10, 2022

Michael Marty
Vierbicher Associates, Inc.
999 Fourier Dr #201
Madison, WI 53717

RE: LNDCSM-2022-00016; Legistar ID 70560 – Certified Survey Map – 519-547 W Washington Ave

Dear Michael Marty:

Your one-lot certified survey of property located at 519-547 West Washington Avenue, Section 23, Township 07N, Range 09E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned DR2 (Downtown Residential 2 district). The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following two (2) items:

1. 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)

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

Please contact Julius Smith of the City Engineering Division–Mapping Section at 264-9276 if you have questions regarding the following eleven (11) items:

3. Grant a 15' wide Public Storm Sewer Easement to the City on the face of the pending Certified Survey Map to facilitate the rerouting and replacement of existing Public Storm Sewer within this proposed site plan. Contact Julius Smith of Engineering Mapping (jsmith4@cityofmadison.com, 608-264-9276) for the final required easement language.

4. Merger of title is recognized for all joint driveway easements as stated in note 7 on sheet 3 of 6 except for Document No.2733027. Per title work provided ownership of Lot 5, parcels D and I are

still not held in a common interest. This is also still reflected in the current owners certificate. A release of the Joint Driveway Agreement per Document No. 2733027 is required prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the plat.

5. The existing Public Storm Sewer Easements per Document No's 3192818 and 3192816 shall be released by separate document prepared by City Office of Real Estate Services and recorded upon the removal, reroute or abandonment of the current storm sewer facilities as part of this redevelopment. Provide necessary map exhibit and legal descriptions to release the Easements. Contact Julius Smith of Engineering Mapping (jsmith4@cityofmadison.com, 608-264-9276) to coordinate the Real Estate project, and associated information and fees required.

6. Existing dry utilities lines are shown running over and thru the parcel. Specifically multiple fiber optic lines along the southwesterly line of the parcel and overhead lines along the southeasterly line of the parcel. Owner / Applicant are advised to coordinate and request from the utility companies serving this area the easements required to serve this development and surrounding properties.

7. Show the approximate location of the Existing Easement for the Pole location per Document No. 358485a located in Lot 4 of Original Plat on the map as shown in the provided site plans.

8. 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 Julius Smith, City Engineering (jsmith4@cityofmadison.com)

9. 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 Julius Smith (jsmith4@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.

10. The recorded as lengths shown for northeasterly line of Lot 6, the southwesterly line of the NE 1/2 of Lot 2 and the southwesterly line of Lot 1 of the Original Plat are listed as (166') show the correct recorded as length as 165'.

11. On the drawings, update street names to W. Washington Avenue & S. Bedford Street. West and South are prefixes and should be abbreviated.

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

13. Submit to Julius Smith, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work, preferably closed polylines for lot lines, shall be void of gaps and overlaps and match the final recorded plat:

a) Right-of-Way lines (public and private)
b) Lot lines
c) Lot numbers
d) Lot/Plat dimensions
e) Street names
f) Easement lines (i.e. all shown on the plat including wetland & floodplain boundaries.)

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

Please contact Lance Vest of the Office of Real Estate Services at 245-5794 if you have any questions regarding the following five (5) items:

14. Prior to approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate(s) on the CSM shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report. When possible, the executed original hard stock recordable CSM shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.

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

16. As of April 15, 2022, the 2021 real estate taxes are paid for the subject property. Per 236.21(3) Wis. Stats. and 16.23(5)(g)(1) Madison General Ordinances, the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to CSM recording. This includes property tax bills for the prior year that are distributed at the beginning of the year. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off. Payment is made to:

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

17. As of April 15, 2022, there are special assessments reported. All known special assessments are due and payable prior to CSM approval sign-off. If special assessments are levied against the property during the review period and prior to CSM approval sign-off, they shall be paid in full pursuant to Madison General Ordinance Section 16.23(5)(g)1. In lieu of this requirement, the owner may present written documentation from the City's Board of Public Works that the special assessments may be continued to be paid on the installment basis authorized by the Board of Public Works. However, if lands within the CSM boundary are to be dedicated, the special assessments levied against the dedicated lands are to be paid in full.

18. 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 survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report (March 1, 2022) submitted with the CSM application and include all associated

documents that have been recorded since the initial title report. A title commitment may be provided, but will be considered only as supplementary information to the title report update. Surveyor shall update the CSM with the most recent information reported in the title update. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.

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

A resolution approving the CSM and authorizing the City to sign it and any other documents related to the proposed land division will be reviewed by the Common Council at its June 7, 2022 meeting.

Prior to City Engineering final sign-off by the main office of the CSM, the final CSM shall be submitted to the Engineering Division Surveyor/ Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division signoff. E-mail submittal of the final CSM in PDF form is preferred. Transmit to jrquamme@cityofmadison.com.

As soon as the comments and conditions have been satisfied, the original along with the revised Certified Survey Map, with all signatures and approvals from the reviewing agencies, shall be brought to this office for final signoff. You or your client may then record the certified survey at the Dane County Register of Deeds. For information on recording procedures and fees, contact the Register of Deeds at 266-4141.

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

If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 243-0455.

Sincerely,

Colin Punt
Planner

cc: Tim Troester, City Engineering Division
Julius Smith, City Engineering Division–Mapping Section
Lance Vest, Office of Real Estate Services

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80820

File ID:	80820	**File Type:**	Resolution	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	Department of Planning and Community and Economic Development
				File Created Date :	11/14/2023
File Name:	Final Plat - Eastpark Holladay Addn (former Eastpark Sixth Addn)			**Final Action:**	

Title: Re-approving the final plat of *The American Center Eastpark Sixth Addition* on property addressed as 4711 Eastpark Boulevard as *The American Center Eastpark Holladay Addition* (District 17).

Notes:

Sponsors:	Planning Division	**Effective Date:**	
Attachments:	The American Center Holladay Plat.pdf, Rename Request_11-09-23.pdf, Eastpark Sixth Addition_Conditional Approval Letter.pdf, Link to Eastpark Sixth Addn_ID 77938	**Enactment Number:**	
Author:		**Hearing Date:**	
Entered by:	tparks@cityofmadison.com	**Published Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Department of Planning and Community and Economic Development	11/14/2023	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER				

Action Text: This Resolution was RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER

Text of Legislative File 80820

Fiscal Note
No City appropriation is required with the approval of this final plat. City costs associated with urban development in this area will be included in future operating and capital budgets subject to Common Council approval.

Title
Re-approving the final plat of *The American Center Eastpark Sixth Addition* on property addressed as 4711 Eastpark Boulevard as *The American Center Eastpark Holladay Addition* (District 17).

Body
WHEREAS on July 25, 2023, the Common Council conditionally approved the preliminary plat and final plat of *The American Center Eastpark Sixth Addition* on property addressed as 4711 Eastpark Boulevard, City of Madison, Dane County, Wisconsin by Resolution 23-00514(ID 77938), said plat creating two lots for development; and

WHEREAS the Plan Commission recommended approval of the *Sixth Addition* plat on July 10, 2023 subject to the comments and conditions in the Plan Commission materials; and

WHEREAS on November 9, 2023, the applicant for the subdivision, American Family Insurance Corporate Real Estate, requested that the name of the subdivision be changed to "*The American Center Eastpark Holladay Addition*" because the approved *American Center Eastpark Fifth Addition* plat has not been recorded, and the State of Wisconsin Department of Administration has opined that it will not certify the Sixth Addition for recording unless it has been preceded by the recording of the Fifth Addition; and

WHEREAS the configuration of the lots and outlots in the plat are consistent with those recommended by the Plan Commission and approved by the Common Council;

NOW THEREFORE BE IT RESOLVED that the final plat of *The American Center Eastpark Sixth Addition* is hereby re-approved as the *The American Center Eastpark Holladay Addition* subdivision subject to all conditions as required by the reviewing City departments as required by Section 16.23 of the General Ordinances of the City of Madison, subject to the conditions noted in the Plan Commission files for the previously named Sixth Addition final plat, and that same shall be recorded with the Dane County Register of Deeds.

BE IT FURTHER RESOLVED that the Mayor and City Clerk of the City of Madison are hereby authorized to sign the plat, bond and subdivision contract, subsequent affidavits of corrections, parkland acquisition documents, easement or right-of-way release or procurement documents or any other related document or documents as deemed necessary by the Secretary of the Plan Commission in accordance with the approved Sixth Addition. If found necessary by the City Engineer, in consultation with Planning Division staff, if wetland or environmental corridor boundaries need to be altered as a result of this subdivision, the Common Council recognizes and adopts the revised boundaries for any wetland or environmental corridor within the Central Urban Service Area as it relates to this subdivision.

BE IT FURTHER RESOLVED that the said plat is hereby added to the official map and the street grades for said plat on file in the City Engineer's Office are hereby approved.

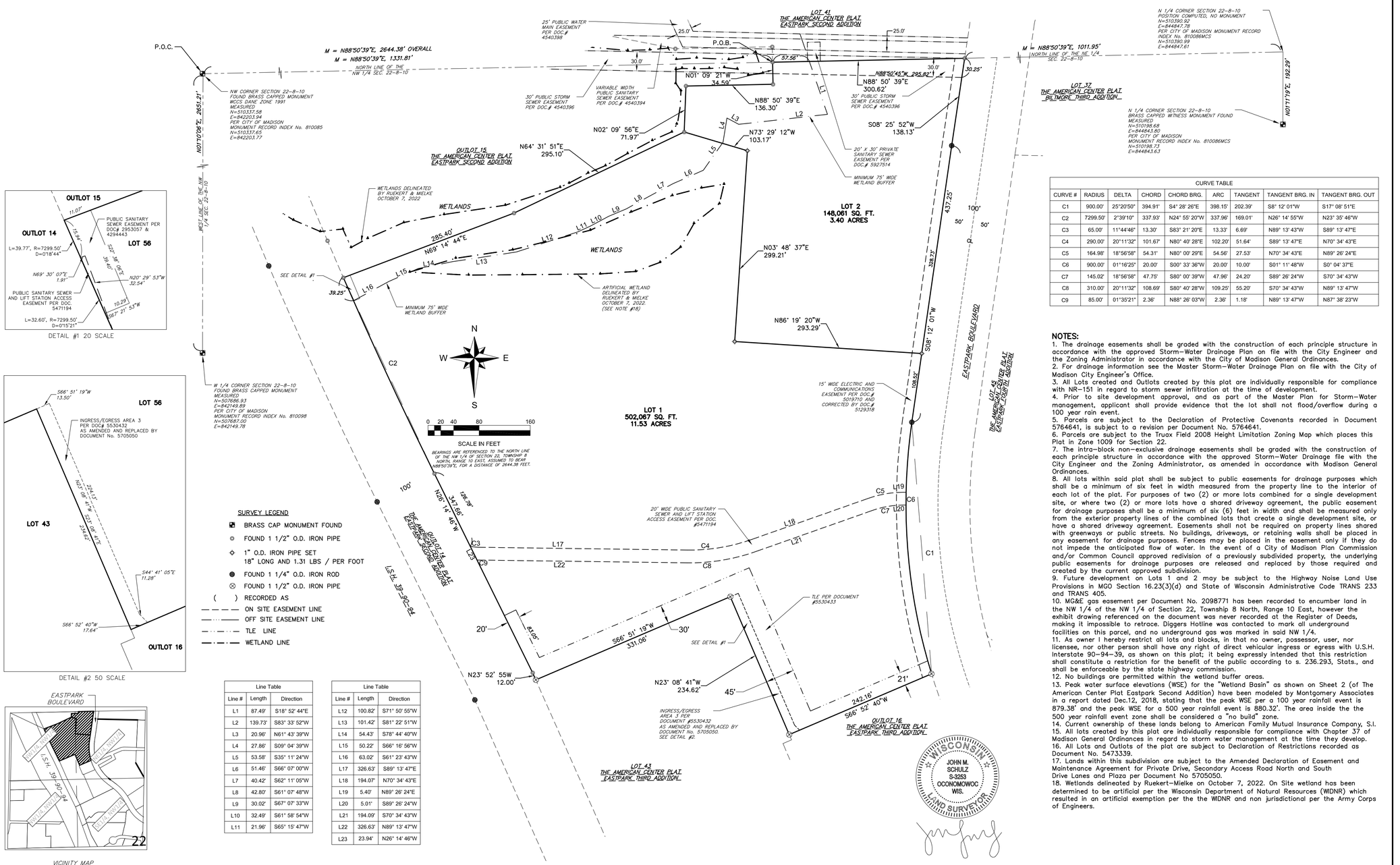
BE IT FURTHER RESOLVED that the Planning Division is authorized to reflect the recorded subdivision in the Comprehensive Plan and any applicable neighborhood plans.

BE IT FURTHER RESOLVED that all dedications included in said final plat or required as a

condition of approval of same be and are hereby accepted by the City of Madison.

THE AMERICAN CENTER HOLLADAY PLAT

BEING DIVISION OF LOT 42 OF THE AMERICAN CENTER PLAT EASTPARK THIRD ADDITION (FORMERLY PART OF LOT 1 OF CERTIFIED SURVEY MAP NO. 15252) LOCATED IN THE NORTHWEST ONE–QUARTER AND NORTHEAST ONE–QUARTER OF THE NORTHWEST ONE–QUARTER OF SECTION 22, TOWNSHIP 08 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.



DETAIL #1 20 SCALE

DETAIL #2 50 SCALE

VICINITY MAP
SECTION 22, TOWNSHIP 8N, RANGE 10E, 1000 SCALE

SURVEY LEGEND

- BRASS CAP MONUMENT FOUND
- FOUND 1 1/2" O.D. IRON PIPE
- 1" O.D. IRON PIPE SET 18" LONG AND 1.31 LBS / PER FOOT
- FOUND 1 1/4" O.D. IRON ROD
- FOUND 1 1/2" O.D. IRON PIPE
- ( ) RECORDED AS
- ON SITE EASEMENT LINE
- OFF SITE EASEMENT LINE
- TLE LINE
- WETLAND LINE

Line Table		
Line #	Length	Direction
L1	87.49'	S18° 52' 44"E
L2	139.73'	S83° 33' 52"W
L3	20.96'	N61° 43' 39"W
L4	27.86'	S09° 04' 39"W
L5	53.58'	S35° 11' 24"W
L6	51.46'	S66° 07' 00"W
L7	40.42'	S62° 11' 05"W
L8	42.80'	S61° 07' 48"W
L9	30.02'	S67° 07' 33"W
L10	32.49'	S61° 58' 54"W
L11	21.96'	S65° 15' 47"W

Line Table		
Line #	Length	Direction
L12	100.82'	S71° 50' 55"W
L13	101.42'	S81° 22' 51"W
L14	54.43'	S78° 44' 40"W
L15	50.22'	S66° 16' 56"W
L16	63.02'	S61° 23' 43"W
L17	326.63'	S89° 13' 47"E
L18	194.07'	N70° 34' 43"E
L19	5.40'	N89° 26' 24"E
L20	5.01'	S89° 26' 24"W
L21	194.09'	S70° 34' 43"W
L22	326.63'	N89° 13' 47"W
L23	23.94'	N26° 14' 46"W

CURVE TABLE								
CURVE #	RADIUS	DELTA	CHORD	CHORD BRG.	ARC	TANGENT	TANGENT BRG. IN	TANGENT BRG. OUT
C1	900.00'	25°20'50"	394.91'	S4° 28' 26"E	398.15'	202.39'	S8° 12' 01"W	S17° 08' 51"E
C2	7299.50'	2°39'10"	337.93'	N24° 55' 20"W	337.96'	169.01'	N26° 14' 55"W	N23° 35' 46"W
C3	65.00'	11°44'46"	13.30'	S83° 21' 20"E	13.33'	6.69'	N89° 13' 43"W	S89° 13' 47"E
C4	290.00'	20°11'32"	101.67'	N80° 40' 28"E	102.20'	51.64'	S89° 13' 47"E	N70° 34' 43"E
C5	164.98'	18°56'58"	54.31'	N80° 00' 29"E	54.56'	27.53'	N70° 34' 43"E	N89° 26' 24"E
C6	900.00'	01°16'25"	20.00'	S00° 33' 36"W	20.00'	10.00'	S01° 11' 48"W	S0° 04' 37"E
C7	145.02'	18°56'58"	47.75'	S80° 00' 39"W	47.96'	24.20'	S89° 26' 24"W	S70° 34' 43"W
C8	310.00'	20°11'32"	108.69'	S80° 40' 28"W	109.25'	55.20'	S70° 34' 43"W	N89° 13' 47"W
C9	85.00'	01°35'21"	2.36'	N88° 26' 03"W	2.36'	1.18'	N89° 13' 47"W	N87° 38' 23"W

NOTES:

1. The drainage easements shall be graded with the construction of each principle structure in accordance with the approved Storm–Water Drainage Plan on file with the City Engineer and the Zoning Administrator in accordance with the City of Madison General Ordinances.
2. For drainage information see the Master Storm–Water Drainage Plan on file with the City of Madison City Engineer's Office.
3. All Lots created and Outlots created by this plat are individually responsible for compliance with NR–151 in regard to storm sewer infiltration at the time of development.
4. Prior to site development approval, and as part of the Master Plan for Storm–Water management, applicant shall provide evidence that the lot shall not flood/overflow during a 100 year rain event.
5. Parcels are subject to the Declaration of Protective Covenants recorded in Document 5764641, is subject to a revision per Document No. 5764641.
6. Parcels are subject to the Truax Field 2008 Height Limitation Zoning Map which places this Plat in Zone 1009 for Section 22.
7. The intra–block non–exclusive drainage easements shall be graded with the construction of each principle structure in accordance with the approved Storm–Water Drainage file with the City Engineer and the Zoning Administrator, as amended in accordance with Madison General Ordinances.
8. All lots within said plat shall be subject to public easements for drainage purposes which shall be a minimum of six feet in width measured from the property line to the interior of each lot of the plat. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water. In the event of a City of Madison Plan Commission and/or Common Council approved redivision of a previously subdivided property, the underlying public easements for drainage purposes are released and replaced by those required and created by the current approved subdivision.
9. Future development on Lots 1 and 2 may be subject to the Highway Noise Land Use Provisions in MGO Section 16.23(3)(d) and State of Wisconsin Administrative Code TRANS 233 and TRANS 405.
10. MG&E gas easement per Document No. 2098771 has been recorded to encumber land in the NW 1/4 of the NW 1/4 of Section 22, Township 8 North, Range 10 East, however the exhibit drawing referenced on the document was never recorded at the Register of Deeds, making it impossible to retrace. Diggers Hotline was contacted to mark all underground facilities on this parcel, and no underground gas was marked in said NW 1/4.
11. As owner I hereby restrict all lots and blocks, in that no owner, possessor, user, nor licensee, nor other person shall have any right of direct vehicular ingress or egress with U.S.H. Interstate 90–94–39, as shown on this plat; it being expressly intended that this restriction shall constitute a restriction for the benefit of the public according to s. 236.293, Stats., and shall be enforceable by the state highway commission.
12. No buildings are permitted within the wetland buffer areas.
13. Peak water surface elevations (WSE) for the "Wetland Basin" as shown on Sheet 2 (of The American Center Plat Eastpark Second Addition) have been modeled by Montgomery Associates in a report dated Dec.12, 2018, stating that the peak WSE per a 100 year rainfall event is 879.38' and the peak WSE for a 500 year rainfall event is 880.32'. The area inside the the 500 year rainfall event zone shall be considered a "no build" zone.
14. Current ownership of these lands belong to American Family Mutual Insurance Company, S.I.
15. All lots created by this plat are individually responsible for compliance with Chapter 37 of Madison General Ordinances in regard to storm water management at the time they develop.
16. All Lots and Outlots of the plat are subject to Declaration of Restrictions recorded as Document No. 5473339.
17. Lands within this subdivision are subject to the Amended Declaration of Easement and Maintenance Agreement for Private Drive, Secondary Access Road North and South Drive Lanes and Plaza per Document No 5705050.
18. Wetlands delineated by Ruekert–Mielke on October 7, 2022. On Site wetland has been determined to be artificial per the Wisconsin Department of Natural Resources (WDNR) which resulted in an artificial exemption per the the WDNR and non jurisdictional per the Army Corps of Engineers.

WISCONSIN
JOHN M. SCHULZ
S-3253
OCONOMOWOC
WIS.
LAND SURVEYOR

REVISED NOVEMBER 9, OCTOBER 11, AUGUST 17, JULY 27TH, MAY 9, 2023 SHEET 1 OF 2

THE AMERICAN CENTER HOLLADAY PLAT

BEING DIVISION OF LOT 42 OF THE AMERICAN CENTER PLAT EASTPARK THIRD ADDITION (FORMERLY PART OF LOT 1 OF CERTIFIED SURVEY MAP NO. 15252) LOCATED IN THE NORTHWEST ONE–QUARTER AND NORTHEAST ONE–QUARTER OF THE NORTHWEST ONE–QUARTER OF SECTION 22, TOWNSHIP 08 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, John M. Schulz, Professional Wisconsin Land Surveyor, Ruekert & Mielke, Inc., hereby certify: That in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the Subdivision Regulations of the City of Madison, and under the direction of American Family Mutual Insurance Company, S.I., f/k/a American Family Mutual Insurance Company, owners of said land, I have surveyed, divided and mapped THE AMERICAN CENTER HOLLADAY PLAT; that such plat correctly represents all exterior boundaries and the subdivision of the land surveyed; and that this land is a division of Lot 42 of The American Center Plat Eastpark Third Addition (formerly part of Lot 1 of Certified Survey Map No. 15252) located in the Northwest one–quarter, and Northeast one–quarter of the Northwest one–quarter of Section 22, Township 08 North, Range 10 East, City of Madison, Dane County, Wisconsin, containing 26.36 acres more or less of land, bounded and described as follows:

Commencing at the Northwest corner of said Northwest one–quarter of Section 22; thence bearing North 88°50'39" East, along the North line of said Northwest one–quarter a distance of 1331.81 feet to the POINT OF BEGINNING; thence continuing along the North line of said Northwest one–quarter a distance of 300.62 feet to the West line of Eastpark Boulevard; thence bearing South 08°25'52" West, along said West line a distance of 138.13 feet; thence bearing South 08°12'01" West, along said West line, a distance of 437.25 feet to a point of curve; thence along said West line, and along an arc of curve to the left a distance of 398.15 feet, having a radius of 900.00 feet and a chord bearing South 04°28'26" East, a distance of 394.91 feet to the North line of Outlot 16 of the American Center Plat Eastpark Third Addition; thence bearing South 66°52'40" West along said line a distance of 242.16 feet to the East line of Lot 43 of the American Center Plat Eastpark Third Addition; thence bearing North 23°08'41" West along said line, a distance of 234.62 feet to the North line of said Lot 43; thence bearing South 66°51'19" West along said line, a distance of 331.06 feet to the East line of Outlot 14 of The American Center Plat Eastpark Second Addition; thence bearing North 23°52'55" West, along said East line of Outlot 14, a distance of 12.00 feet; thence bearing North 26°14'46" West, along said East line of Outlot 14, a distance of 347.66 feet to a point of curve; thence along said East line of Outlot 14, and along an arc of curve to the right a distance of 337.96 feet, having a radius of 7299.50 feet and a chord bearing North 24°55'20" West a distance of 337.93 feet to the South line of Outlot 15 of The American Center Plat Second Addition; thence bearing North 69°14'44" East, along said South line of Outlot 15, a distance of 285.40 feet; thence bearing North 64°31'51" East, along said South line of Outlot 15, a distance of 295.10; thence bearing North 02°09'56" East, along said South line of Outlot 15, a distance of 71.97 feet; thence bearing North 88°50'39" East, along said South line of Outlot 15, a distance of 136.30 feet; thence bearing North 01°09'21" West, along said South line of Outlot 15, a distance of 34.59 feet to feet the POINT OF BEGINNING, containing 14.93 acres, more or less of land.

Dated this 9th day of November, 2023

WISCONSIN
JOHN M. SCHULZ
S-3253
OCONOMOWOC
WIS.
LAND SURVEYOR

_____
John M. Schulz, P.L.S. No. 3253

OWNERS CERTIFICATE

American Family Mutual Insurance Company, S.I., f/k/a American Family Mutual Insurance Company, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owners, does hereby certify that said corporation caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat.

American Family Mutual Insurance Company, S.I., f/k/a American Family Mutual Insurance Company, does further certify that this plat is required by S. 236.10 or S. 236.12 to be submitted to the following for approval or objection:

Department of Administration
Common Council, City of Madison
Wisconsin Department of Transportation

IN WITNESS WHEREOF, the said American Family Mutual Insurance Company, S.I., f/k/a American Family Mutual Insurance Company, has caused these presents to be signed by Kari Grasee, Business and Workplace Services Vice President, and Josh Peterson, Real Estate and Workplace Solutions Director, The American Center, and its corporate seal to be hereunto affixed on this

_____ day of _____ , 20__.

American Family Mutual Insurance Company, S.I., f/k/a American Family Mutual Insurance Company.

_____

Kari Grasee
Business and Workplace Services Vice President

_____ Countersigned
Josh Peterson
Real Estate and Workplace Solutions Director

STATE OF WISCONSIN)SS
COUNTY OF DANE)

Personally came before me this _____ day of _____ , 20__, the above named Kari Grasee and Josh Peterson, to me known to be the persons who executed the foregoing instrument and acknowledge the same.

_____

Notary Public, State of Wisconsin.

My Commission _____.

CITY OF MADISON PLAN COMMISSION CERTIFICATE

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

Dated this _____ day of _____ , 20__

_____

_____, Secretary
Planning Commission

CERTIFICATE OF CITY TREASURER

I, Craig Franklin, being duly appointed, qualified and acting Treasurer of the City of Madison, do hereby certify that in accordance with the records in my office, there are no unpaid taxes or special assessments as of this _____ day of _____ , 20__, on any of the lands included in the plat of THE AMERICAN CENTER HOLLADAY PLAT.

_____

Craig Franklin, Treasurer
City of Madison, Dane County, Wisconsin

CITY OF MADISON COMMON COUNCIL CERTIFICATE

Resolved that the plat known as THE AMERICAN CENTER HOLLADAY PLAT, located in the City of Madison was hereby approved by Enactment Number _____ , File I.D. Number _____ , adopted on this _____ day of _____ , 20__, and that said resolution further provided for acceptance of those lands and rights dedicated by said plat to City of Madison for public use.

Dated this _____ day of _____ , 20__.

_____

Maribeth Witzel–Behl, City Clerk
City of Madison, Wisconsin

CERTIFICATE OF THE COUNTY TREASURER

I, Adam Gallagher, being duly elected, qualified and acting Treasurer of the County of Dane, do hereby certify that the records in my office show no unredeemed tax sales and no unpaid taxes or special assessments as of this _____ day of _____ , 20__, affecting the lands included in the plat of THE AMERICAN CENTER HOLLADAY PLAT.

_____

Adam Gallagher, Treasurer
Dane County, Wisconsin

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20_____

Department of Administration

Office of the Register of Deeds

_____ *County, Wisconsin*

Received for Record _____ *, 20*

at _____ *o'clock* _____ *M as document #*

_____ *in*

Register of Deeds

From: Schulz, John
To: Smith, Julius W; Punt, Colin; Parks, Timothy; Radlinger, Heidi; Stanley, Brenda
Cc: Lietha, Jason; Quamme, Jeffrey
Subject: The American Center Holladay Plat Revised Submittal
Date: Thursday, November 9, 2023 11:23:33 AM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image498199.png
image904274.png
image816374.png
image535264.png
image436606.png
image485236.png
image773564.png
image427841.png
The American Center Holladay Plat.pdf
ALTA Commit for Title Ins (7-1-21)-WI.pdf
20231109 PLAT.dwg

Caution: This email was sent from an external source. Avoid unknown links and attachments.

All,

Attached is the revised submittal of The American Center Holladay Plat, previously known as The American Center Eastpark Sixth Addition, also included is the cad file and the latest commitment.

Per the email from Jeff Quamme below we are hoping to be on the Nov. 21st Common Council meeting where a resolution would be adopted to reflect the name change.
The name and lot numbering change are the only items that are different from the previously submitted plat which had been approved by most of the departments.
If there are any questions or concerns, please let either Jason Lietha or myself know as soon as you can.

Thank you all for your assistance in this matter,

John M. Schulz
Professional Land Surveyor

Ruekert • Mielke

262-953-1072
262-470-0659
JSchulz@ruekert-mielke.com
ruekertmielke.com

Learn how our employee owners “make community possible” at R/M! Watch Video

From: Smith, Julius W <JSmith4@cityofmadison.com>
Sent: Wednesday, November 8, 2023 1:27 PM
To: Schulz, John <JSchulz@ruekert-mielke.com>; Punt, Colin <CPunt@cityofmadison.com>; Parks,

Timothy <TParks@cityofmadison.com>
Cc: Lietha, Jason <jlietha@ruekert-mielke.com>; Quamme, Jeffrey <JRQuamme@cityofmadison.com>
Subject: RE: Meeting cancellation

> **Caution:** This is an external email of your Organization. Please take care when clicking links or opening attachments.

John,

As far as Mapping is concerned it appears the from the notes Jeff has left me you have satisfied all of his comments, other than the recording order/naming issue but that is just our department. You will need to check in with the other departments and the contacts listed on bottom of the approval letter to be sure. So both Heidi and Brenda.

For the re approval for the name change, please work with the planning department on the details for this, as Jeff had stated before, and you have highlighted green at the bottom of this email string.

Thanks,

Jule

Julius W. Smith PLS– Engineering Mapping (he, him, his)
Surveyor 2 / Land Records
Engineering Operations Building
1600 Emil Street
Madison, WI 53713
(608) 264-9276 PH
jsmith4@cityofmadison.com

From: Schulz, John <JSchulz@ruekert-mielke.com>
Sent: Wednesday, November 8, 2023 1:06 PM
To: Smith, Julius W <JSmith4@cityofmadison.com>; Punt, Colin <CPunt@cityofmadison.com>; Parks, Timothy <TParks@cityofmadison.com>
Cc: Lietha, Jason <jlietha@ruekert-mielke.com>; Quamme, Jeffrey <JRQuamme@cityofmadison.com>
Subject: FW: Meeting cancellation

Caution: This email was sent from an external source. Avoid unknown links and attachments.

All,

Per the emails below (green highlighted), Ruekert/Mielke will be changing the name of "The American Center Plat Eastpark Sixth Addition" to a yet to be determined name.

We are hoping to be on the Nov. 21st Common Council meeting where a resolution would be adopted to reflect the name change and will be resubmitting as soon as we receive the updated plat name.

Other questions that will need to be answered are in the email below listed as 2a, 2b and 2c.

Thank you for all your help in this matter.

John M. Schulz
Professional Land Surveyor

Ruekert · Mielke

262-953-1072
262-470-0659
JSchulz@ruekert-mielke.com
ruekertmielke.com
Learn how our employee owners "make community possible" at R/M! Watch Video

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From: Lietha, Jason <jlietha@ruekert-mielke.com>
Sent: Wednesday, November 8, 2023 11:25 AM
To: Schulz, John <JSchulz@ruekert-mielke.com>
Cc: Kreuser, Anita <akreuser@ruekert-mielke.com>
Subject: RE: Meeting cancellation

John,

I have the go ahead to make this happen, lender is going to give an extension, but imperative that it is recorded early Dec.

With that being said can you please:

1. Call Renee at DOA and let her know what the City has proposed and path we are going to take
    a. Confirm it is a resubmittal and what the anticipated time may be to review
    b. Can we get in as soon as we have the new name updated on the plat face?
2. Call Quamme (or email) and let him know we will get a new revised plat into them with a new name and we want to get onto 11/21 agenda as planning proposed. If he is still available to talk, if not Julis can answer?
    a. Do we submit to Julis or Tim Parks or Colin or all of the above to make sure someone gets on the agenda, is Julius up to speed so he knows what we are doing?
    b. Would this be a standard item or something for a consent agenda?
    c. Is there any other City staff that we need to check with to make sure we have all concerns addressed (I know Heidi is one of them)

I will work on:

1. Getting a new name ASAP from Amfam
2. Contact DCT and get the two items resolved as it pertains to
    a. Amfam judgement
    b. Baker Tilly easement
3. I will also talk to Hedie in real estate to make sure there isn't anything else we need to do on the City behalf

Let me know if you have any questions, lets touch base later today / tomorrow.

Jason P. Lietha, P.E. (WI, MN, MI)
Vice President / Madison Office Manager

From: Schulz, John <JSchulz@ruekert-mielke.com>
Sent: Wednesday, November 8, 2023 6:09 AM
To: Lietha, Jason <jlietha@ruekert-mielke.com>
Subject: FW: Meeting cancellation

John M. Schulz
Professional Land Surveyor

From: Quamme, Jeffrey <JRQuamme@cityofmadison.com>
Sent: Tuesday, November 7, 2023 4:51 PM
To: Schulz, John <JSchulz@ruekert-mielke.com>
Cc: Smith, Julius W <JSmith4@cityofmadison.com>; Punt, Colin <CPunt@cityofmadison.com>; Parks, Timothy <TParks@cityofmadison.com>
Subject: RE: Meeting cancellation

Caution: This is an external email of your Organization. Please take care when clicking links or opening attachments.

John,

This was discussed internally.

As you have stated Plat Review at the DOA has stated you cannot record the 6th addition before the 5th addition.

We are not necessarily in agreement with the DOA on the requirement. Under Sec. 236.20(3), the name can't be duplicative of any other subdivision in the County/municipality, but there isn't anything that addresses recording order of the plats that are additions. But 236.20(2) requires the numbers of the lots, outlots and blocks to be consecutively numbered through additions. So the

argument would be as long as the lot and outlot numbers are correctly consecutive through the additions, it would be okay to record the 6th before the fifth. But of course you would need to get the DOA on board and convince them as the City would not like to upset that DOA applecart.

With that, if you would like to proceed and change the name of the plat, you could request that change with Colin Punt / Tim Parks / Planning. There would have to be a resolution adopted to reflect the new name and it could be adopted at the November 21st Common Council meeting. If you go that route, you would need to coordinate and have everything to planning folks early next week Monday the 13th or likely the latest Tuesday the 14th. But I think coordinating / notifying them sooner would be necessary so that they can fit it in accordingly.

All, FYI at noon tomorrow I am off until I come back on the 20th. Jule is stuck picking up any pieces so be kind.

Jeff Quamme – Engineering Mapping (he, him, his)
Land Information Manager
(608) 266-4097 PH
jrquamme@cityofmadison.com

Department of Planning & Community & Economic Development
Planning Division
Heather Stouder, Director
Madison Municipal Building, Suite 017
215 Martin Luther King, Jr. Blvd
P.O. Box 2985
Madison, Wisconsin 53701-2985
Phone: (608) 266-4635
www.cityofmadison.com

July 26, 2023

John Schulz
Rueker & Mielke, Inc.
4639 S Biltmore Lane
Madison, WI 53718

RE: LNDSPP-2023-00004; Legistar ID 77938 – Preliminary and Final Plat – The American Center Eastpark Sixth Addition – 4711 Eastpark Blvd

Dear John Schulz:

Your Preliminary and Final Plat of The American Center Eastpark Sixth Addition, City of Madison, Dane County, Wisconsin, are hereby **conditionally approved**. The property is zoned SEC (Suburban Employment Center district). The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the plat are:

Please contact Brenda Stanley of the City Engineering Division at 261-9127 if you have questions regarding the following two (2) items:

1. 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))

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

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have questions regarding the following twelve (12) items:

3. Add a note that lands within this subdivision are subject to the Amended Declaration of Easements and Maintenance Agreement for Private Drive, Secondary Access Road North and South Drive Lanes and Plaza per Document No 5705050. Applicant should consider an amendment to this agreement after the recording of the plat to remove the Lot 57 area from the agreement.

4. Add text to Note 5 that 2379020 is subject to a revision per Document No. 2379020.

5. 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)

6. 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.

7. Add text to the labels of the Ingress/Egress Area 3 Easement that it is as Amended and Replaced by Document No. 5705050

8. Move the bearing reference language to be next to the north arrow.

9. Correct the Lot numbers in note 9 to Lots 56 and 57.

10. Correct the page headers and the header for the legal description, this plat does not include all of Lot 1 of CSM 15252, it includes part of the Lot. The previous plat moved the southerly most line.

11. Remove the monument symbol at the computed location at the North Quarter Corner of Section 22. Unless there is now a brass monument.

12. Note that the subdivision east of this plat may change with recently submitted plats that may be recorded prior to final approval of this plat.

13. This plat 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.

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

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

Please note that the City's Office of Real Estate Services is reviewing the report of title provided with this plat and may have comments. That office will work with you separately for any additional requirements. If you have any questions, please contact Heidi Radlinger at 266-6558 for more information.

15. Prior to approval sign-off by the Office of Real Estate Services, the Owner's Certificate on the Plat shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a).

16. Per 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes that may become due prior to Plat recording. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off. Any special assessments shall also be paid in full pursuant to Plat Section 16.23(5)(g)1.

17. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Heidi Radlinger (hradlinger@cityofmadison.com), as well as the survey firm preparing the proposed Plat. The report shall search the period subsequent to the date of the initial title report submitted with the Plat application and include all associated documents that have been recorded since the initial title report. A title commitment may be provided, but will be considered only as supplementary information to the title report update. The surveyor shall update the Plat 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 Plat.

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

A resolution approving the plat and authorizing the City to sign it and any other documents related to the proposed land division was reviewed by the Common Council at its July 25, 2023 meeting.

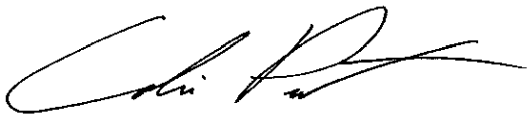
Prior to City Engineering final sign-off by the main office of the plat, the final plat shall be submitted to the Engineering Division Surveyor/ Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division signoff. E-mail submittal of the final plat in PDF form is preferred. Transmit to jrquamme@cityofmadison.com.

As soon as the comments and conditions have been satisfied, the original along with the revised plat, with all signatures and approvals from the reviewing agencies, shall be brought to this office for final signoff. You or your client may then record the certified survey at the Dane County Register of Deeds. For information on recording procedures and fees, contact the Register of Deeds at 266-4141.

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

If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 243-0455.

Sincerely,



Colin Punt
Planner

cc: Brenda Stanley, City Engineering Division
Jeff Quamme, City Engineering Division–Mapping Section
Heidi Radlinger, Office of Real Estate Services

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80719

File ID:	80719	**File Type:**	Resolution	**Status:**	Council New Business
Version:	1	**Reference:**		**Controlling Body:**	DOWNTOWN COORDINATING COMMITTEE
				File Created Date :	11/07/2023
File Name:	BID 2024 Operating Plan			**Final Action:**	

Title: Approving the 2024 Operating Plan for Madison's Central Business Improvement District. (District 2, District 4, District 8)

Notes: INTRODUCED FROM THE FLOOR 11/7/23

Sponsors:	Michael E. Verveer	**Effective Date:**	
Attachments:	2024 BID Operating Plan w-Appendix.pdf	**Enactment Number:**	
Author:	Saran Ouk, Office of Business Resources Manager	**Hearing Date:**	
Entered by:	cklawiter@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Economic Development Division	11/06/2023	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Downtown Coordinating Committee (11/16/23), Common Council (11/21/23)						
1	COMMON COUNCIL	11/07/2023	Refer	DOWNTOWN COORDINATING COMMITTEE			Pass
	Action Text: A motion was made by Verveer, seconded by Currie, to Refer to the DOWNTOWN COORDINATING COMMITTEE. The motion passed by voice vote/other.						

Text of Legislative File 80719

Fiscal Note

The proposed resolution approves the 2024 Operating Plan for Madison's Central Business Improvement District (BID). The 2024 Operating Plan anticipates expenditures of $628,700.00 funded with a BID assessment of $310,898.02. The 2024 Operating Budget maintains the City contribution to Madison's Central Business Improvement District (BID): $62,225 (Economic Development Division). No additional City appropriation is required.

Title

Approving the 2024 Operating Plan for Madison's Central Business Improvement District. (District 2, District 4, District 8)

Body

WHEREAS, Wisconsin State Statute 66.1109, often referred to as the "BID Law," authorizes cities to create Business Improvement Districts "to allow businesses within those districts to develop, to manage, and to promote the districts and to establish an assessment method to fund these activities;" and,

WHEREAS, under 1999 Wisconsin State Statute 66.608, the City of Madison on December 7, 1999 created Madison Business Improvement District #1, known as Madison's Central Business Improvement District, and adopted its initial operating plan; and,

WHEREAS, Madison's Central Business Improvement District (BID) is governed by a Board of Directors, who are appointed by the Mayor and confirmed by the Common Council; and,

WHEREAS, the State enabling legislation requires that the Board of Directors of the BID annually consider changes to its operating plan and submit a revised operating plan to the local legislative body for approval. The BID Operating Plan contains a sunset clause requiring affirmative renewal of the District by property owner vote every 5 years. Madison's Central Business Improvement District was last renewed in 2019 for a 2020-2024 term; and,

WHEREAS, Madison's Central Business Improvement District Board of Directors convened an annual meeting of property owners and businesses on October 18, 2023 to review the District's accomplishments and to obtain input for the development of its 2024 Operating Plan and budget; and,

WHEREAS, Madison's Central Business Improvement District Board of Directors adopted the 2024 Operating Plan on November 2, 2023; and,

WHEREAS, the 2024 Operating Plan anticipates expenditures of $628,700.00 funded with a BID assessment of $310,898.02.

NOW, THEREFORE, BE IT RESOLVED that the 2024 Operating Plan for Madison's Central Business Improvement District is approved.

Madison's Central Business Improvement District (BID)

OPERATING PLAN FOR CALENDAR YEAR 2024
BUSINESS IMPROVEMENT DISTRICT NO. 1
OF THE CITY OF MADISON, WISCONSIN

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D. Organization of the District Board

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OPERATING PLAN FOR CALENDAR YEAR 2024
BUSINESS IMPROVEMENT DISTRICT NO. 1
OF THE CITY OF MADISON, WISCONSIN

I. INTRODUCTION

Under Wisconsin Statute Section 66.1109, (the "BID Law") cities are authorized to create Business Improvement Districts ("BIDs") upon the petition of at least one owner of property used for commercial purposes within the District. The purpose of the BID Law is "…to allow businesses within those districts to develop, to manage and promote the districts and to establish an assessment method to fund these activities." 1983 Wis. Act 184, Section 1, legislative declaration. See Appendix A.

BID assessments are similar to traditional special assessments wherein property owners are assessed for improvements or services that benefit them. Unlike the traditional special assessments, however, BID assessments can be used to finance a wider range of activities, services and improvements such as business retention, expansion and recruitment; ambassadors; promotions and marketing and seasonal street decorations.

On December 7, 1999 the City of Madison created Business Improvement District #1. Pursuant to BID Law, this is the operating plan ("Operating Plan") for the District for the calendar year 2024, which has been prepared to establish the services to be offered by the district, expenditures by the district, the special assessment method applicable to properties within the district for the twenty-fourth year of the BID, and other requirements of the BID Law.

II. DISTRICT BOUNDARIES

The District will include the area in Madison that comprises Madison's Central Business District. The district includes the Capitol Square Area including the 100 block "spoke streets" off the Capitol Square, the 100 and 200 blocks of King Street and the State Street Area extending west to Park Street and down West Washington to Broom Street and south to University Avenue. This entire area represents the heart of Madison's downtown, linking State Street with the businesses in the Capitol Square and adjacent areas, the residential population in the downtown, the Monona Terrace Community and Convention Center's visitors and the UW-Madison Visitors Services.

A listing of the properties included in the District is set forth in Appendix B, attached hereto and incorporated herein, along with a map outlining the District in Appendix C.

III. OPERATING PLAN

A. Plan Objectives

In the year 2003, Madison's Central BID underwent a strategic planning process which led to the formulation and articulation of the District's vision and mission. In 2006, the BID Board revisited and updated the Strategic Plan. In 2015 and each year thereafter, the Board reviews and adjusts the organization's mission and actions. The VISION of Madison's Central BID is to be an effective

and responsive BID that is respected in the Community for getting things done. The AIM of Madison's Central BID is to increase the vitality and health of the district and promote business within it. The CONSTITUENTS are the property and business owners within the district. The ACTION by the BID to achieve the goal is to market the district as a whole, create a welcoming environment, produce programs and events, develop community relations, and provide outreach on issues affecting the District. In 2020 the BID was renewed with the same objectives.

B. **Proposed Activities for 2024**

Madison's Central BID has had and will continue to have five areas of strategic focus. Those areas are to maximize marketing and promotion of the District, provide a welcoming environment to all, activate public spaces in the District through programming, develop community relations, and conduct outreach to and for the District. These efforts will all be a combination of in-person and virtual.

Maximizing Marketing and Promotion of Downtown

Promote the benefits of the Madison's Central BID area as an important community asset and a unique place to shop, to dine and to recreate to residents and visitors. This includes:

- Maintain website (www.visitdowntownmadison.com) and social media presence
- Distribute Downtown Madison map and guide
- Offer businesses ideas for high value advertising or marketing
- Provide positive downtown public relations
- Promotion of downtown as a great place to shop, dine, play, live and work
- Creation of a consistent message between marketing strategies, public relations and programming
- Support for downtown events

Welcoming Environment

Provide a friendly, welcoming, accessible, and unique environment for all within the District through:

- The Ambassador program, including Ambassador staffing of the city's Visitor Center at 452 State St. and the Visitor Booth located at the top of State St.

Programming

The BID's efforts for programming are to bring people and customers downtown. Such events might include amongst others:

- Story Walk
- Wine Walk
- Lunch Time Live
- Live & Local
- Downtown Movie Nights
- Electric Sundays in the Park
- Family Halloween
- Madison Night Market

Community Relations

Work in a leadership role to enable communications and maximize compatibility among user groups of the downtown. This includes:

- Communication with district property owners regarding BID involvement and initiatives
- Communication with business owners to keep them aware of issues and/or opportunities as they relate to their businesses
- Collaboration with the University of Wisconsin Campus Visitor and Information Programs and Destination Madison
- Attend and provide reports at the Downtown Coordinating Committee as invited
- Work with the City of Madison and attend various city meetings, including the Parks Division, Department of Planning, Community and Economic Development, Engineering Division and Traffic Engineering for orchestration of physical environment programs and street reconstruction within and affecting the District; the Police regarding downtown safety; and the Mayor's Office and other agencies on relevant issues
- Coordinate efforts with Downtown Madison, Inc. (DMI) and participate in committees as relevant to BID work
- Attend and provide reports at the Greater State Street Business Association (GSSBA) monthly meetings
- Work with various downtown groups and other organizations in the business community in event planning and joint partnerships that increase business within the District.

Outreach to and for the District

To work closely with city staff, elected officials, and partner organizations and stakeholders to provide outreach and information on issues affecting the Business Improvement District as a whole including its constituent property and business owners, on areas including but not limited to:

- Business Recruitment which includes continuing to increase opportunities for new businesses to host temporary, pop up or other experimental retail.
- Support community efforts to encourage and increase diversity of property and business ownership
- Work with brokers, property owners and others to promote and encourage businesses to locate downtown
- City of Madison downtown business development, small business policies, alcohol license management, Economic Development Plan, and other similar initiatives
- Proposed policies for the central downtown business district
- Mall maintenance services
- Parking accessibility and affordability that encourages retention and expansion of businesses along with the use of other modes of transportation
- Street closures, construction, and access to downtown
- Streetscape design and amenities
- Downtown Safety

The BID will conduct other activities similar to those above, to carry out the objectives identified above as funding allows.

In addition, the BID shall have all powers granted under the BID Law, including to collect the assessments provided herein, and to carry out the purposes of this Operating Plan.

C. **Expenditures and Financing Method**

The 2024 Operating Budget for the District is approximately **$628,700.00** (See Appendix D). The projected expenditures are also identified on Appendix D, attached hereto and incorporated herein. The actual budget will be adjusted if the actual revenue received, and expenditures are more or less than projected. The adjustments could include revising or eliminating individual budget line items as determined by the BID Board of Directors.

Expenditures are intended to be made in a fair and equitable basis throughout and for the benefit of the entire District. In the event that a surplus exists at the end of any fiscal year, the monies may be carried over for expenditures in subsequent years.

The BID Operating Budget for 2024 will be subject to the approval of the City of Madison, as set forth in Wisconsin Statutes section 66.1109. If any year's annual operating budget exceeds the prior year's annual operating budget by 4% or more, such budget must be approved by a 2/3 majority of the entire BID Board of Directors. Any capital improvements costing more than $10,000 each or $30,000 in the aggregate for any one calendar year must be approved by a 2/3 majority of the entire BID Board of Directors. For the purpose of this Operating Plan, "capital improvement" means any physical item that is permanently affixed to real estate including, without limitation, street lighting and sidewalk improvements. The term "capital improvement" shall not include, among other things, any maintenance equipment or supply, any communications equipment, any vehicles, any seasonal improvement or any holiday lighting or decoration. After the BID Board of Directors has approved the annual operating plan and budget, they will be sent to the City for approval, adoption and inclusion in the City's annual budget for the following year.

The district may not borrow funds without the approval of a 2/3 majority of the entire BID Board of Directors.

D. **Organization of the District Board**

The Mayor shall appoint members, who will culturally represent Madison's diverse communities, to the District Board (the "Board"), and the City Council of Madison will act on the confirmation of such appointments. The Board shall be responsible for implementation of this Operating Plan. This requires the Board to negotiate with providers of services and materials to carry out the Operating Plan; to enter into various contracts; to monitor the effectiveness of the District's activities, to aid compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of District assessments.

Wisconsin Statutes section 66.1109(3) (a) requires that the Board be composed of at least five members and that a majority of the Board members shall either own or occupy real property in

the District. If the actual property or business owner is an entity, that entity shall designate a representative to act on its behalf.

The Board shall be structured and operate as follows:

1. Board Size – 19 members
2. Composition -
    a. **State Street Area (4)** - four members, representing 2 owners of commercial property and 2 owners of a business in the "State Street Area";
    b. **West Main Area (1)** - one member, representing a commercial property owner or business owner;
    c. **King Street Area (1)** - one member, representing a commercial property owner or business owner;
    d. **University of Wisconsin-Madison (1)** - one member, representing the Chancellor;
    e. **Downtown Coordinating Committee (1)** - one member, representing the Downtown Coordinating Committee;
    f. **Capitol Square Area (3)** - three members, representing either a commercial property owner or business owner in the "Capitol Square Area";
    g. **The Greater State Street Business Association (GSSBA) (1)** - one member of the organization, nominated by the GSSBA;
    h. **Tax Exempt Entity (1)** - one member, representing a cultural or arts organization.
    i. **Downtown Madison, Inc. (DMI) (1)** - one member, representing the DMI board of directors;
    j. **University of Wisconsin-Madison Student (1)** - one member, representing the students of Madison;
    k. **Downtown Resident (1)** - one member, resident of central downtown;
    l. **At-Large Members, General (2)** - two members, representing the central downtown;
    m. **At-Large Member, Property Owner Representative (1)** - one member representing the largest property owner in the district (owner of the most aggregate frontage subject to the BID assessment). If no representative of the largest property owner wishes to serve, a representative of the second-largest property owner may be appointed to the seat (and so forth).

In addition, the following representatives shall be appointed by the Mayor who shall not be formal members of the Board and therefore cannot vote, but who will represent the following constituency, and advise the Board, and shall be notified of all Board meetings, shall be able to attend such Board meetings and give input to the Board:

    n. **City of Madison (1)** - one member (without vote), representing the City of Madison;
    o. **The 4th District Alderperson (1)** - one member (without vote), representing the 4th District.
    p. **The 2nd District Alderperson (1)** - one member (without vote), representing the 2nd District.

3. No one individual, and no more than one representative of any entity, may hold more than one Board position. If, during the course of a term, a Board member's situation changes, so

that they no longer fit the definition for that seat, such as by selling their parcel, they shall continue to serve in that position until a replacement is appointed.

4. Term - Appointments to the Board shall be for a period of three years, in accordance with City of Madison terms. City of Madison terms are renewable for up to 4 appointments.

5. Compensation – None.

6. Open Meetings Law - All meetings of the Board shall be governed by the Wisconsin Open Meetings Law if and as legally required.

7. Record Keeping - Files and records of the Board's affairs shall be kept pursuant to the Wisconsin Public Records Law.

8. Staffing and Office - one Executive Director, one Operations Director and one Programming Coordinator. Hourly paid Information Ambassadors staff the Downtown Visitor Center and volunteers staff the Downtown Visitor Booth. The BID currently subleases office space from Downtown Madison, Inc. and utilizes the Madison Parks facility at 452 State St.

9. Meetings - The Board shall meet monthly except in July and January. An annual meeting will be planned for all property and business owners.

10. Executive Committee - The Board shall elect from its members a chair, a vice-chair, a secretary, and a treasurer who, along with the immediate past Chair, shall comprise an Executive Committee of the Board. The Executive Committee shall be authorized to oversee the day-to-day operations of the District, including the execution of minor contracts, and the signing of checks, subject to the controls adopted by the Board.

11. Subcommittees - May include Marketing Subcommittee, Governance Subcommittee, Liaison Subcommittee, Fund Development Subcommittee, Nominating Subcommittee, and others formed by the Board as needed. Subcommittees may include Board members and other District representatives.

12. Non-Voting Advisors - The Board will have two non-voting advisors, as identified above.

13. Powers - The Board shall have all powers necessary and convenient to implement the Operating Plan, including the power to contract.

14. Annual Report - The Board shall prepare and make available to the public annual reports, including an independent certified audit conducted by the City of Madison, as required by the BID Law.

IV. METHOD OF ASSESSMENT

A. Annual Assessment Rate and Method

The annual assessment for District operating expenses will be in direct proportion to the frontage lineal footage of that property within the District, as defined below.

The individual assessment is derived by figuring the property's primary lineal frontage at 100%, and the secondary lineal frontage, if applicable, at 50%. The total assessment for each assessed parcel is formulated by multiplying the total assessed lineal footage by $15.60. The frontage measurements of each parcel of real estate, as identified in the records of the Commercial Property Record of the City of Madison, shall be the official measurement for purposes of this calculation. Notwithstanding the foregoing, the total assessment for each improved property shall not exceed an amount equal to $0.312 per square foot of building area.

Use of the property as of January 1, 2024 shall control for purpose of the twenty-fourth year assessment.

Appendix B identifies each property included in the District and shows the proposed BID assessment for each property. A property shall be defined as a parcel of land subject to assessment hereunder, with a separate Tax Key Number, as identified in the City of Madison's Assessor's Office.

The BID assessment is hereby levied by the City of Madison, which shall be a lien against each of the tax parcels of real property contained in the District, unless exempted as identified herein, under the power of §66.0717, Wis. Stats. Such special assessments are hereby levied by the City of Madison by adoption of this BID Plan. The city Finance Director is authorized to include the BID assessment on bills for properties subject to the assessment within the designated Improvement District.

The City of Madison shall collect such BID assessments and shall provide to the BID Board an accounting of the amounts received and the tax key numbers for which they are collected. All assessments shall be placed in a segregated account in the City's treasury. The City shall disburse the funds when the BID Board requisitions payments for its expenses that are authorized by the BID Operating Plan. All interest earned by virtue of temporary investment of funds in the BID account shall remain in the account for activities delineated in the BID Operating Plan.

B. **Excluded and Exempt Property**

The BID statute requires explicit consideration of certain classes of property. In compliance with the law, the following statements are provided.

1. Wisconsin Statutes section 66.1109(1) (f): Property used exclusively for manufacturing purposes will not be assessed.

2. Wisconsin Statutes section 66.1109(5) (a): Property used exclusively for residential purposes will not be assessed.

3. Wisconsin Statutes section 66.1109(5)(a): Real property that is exempted from general property taxes under s. 70.11 will not be assessed.

Owners of tax-exempt property within the district and expected to benefit from District activities will be asked to make a financial contribution to the district on a voluntary basis. In addition, those tax-exempt properties within the District which are later determined no longer to be exempt from general property taxes, and tax-exempt properties whose owners consent in writing to be assessed, shall automatically become subject to assessment under any current operating plan without necessity to undertake any other act.

V. PROMOTION OF ORDERLY DEVELOPMENT OF THE CITY

Under Wisconsin Statutes section 66.1109(1) (f) 4, this Operating Plan is required to specify how the creation of the District promotes the orderly development of the City. The District will increase the vitality of the Central Business District and, consequently, encourage commerce in the City. Increased business activity in the City will increase sales tax revenues and property tax base.

City Role in District Operation

The City of Madison has committed to assisting owners and occupants in the District to promote its objectives. The creation of the BID District is in compliance with the City's Master Plan. To this end, the City has played a significant role in creation of the District and in the implementation of the Operating Plan. In furtherance of its commitment, the City shall:

1. Maintain services to the district at their current levels.
2. Maintain the City's current financial commitment to downtown.
3. Maintain deployment of foot patrol officers.
4. Handle the billing and collection of the BID assessment as provided herein.
5. Provide annual audits as required per sec 66.1109 (3)(c) of the BID Law.
6. Provide the BID board, through the Office of the City Assessor on or before June 30 of each plan year, with the official City tax key number within the district, as of January 1 of each plan year, for the purpose of calculating the BID assessments.
7. Have the City Attorney make a legal opinion that the BID Operating Plan complies with the requirements of the BID

VI. PLAN APPROVAL PROCESS

Public Review Process

The BID Law establishes a specific process for reviewing and approving operating plans. The statutory requirements will be followed, including the following process:

1. The District shall submit its proposed operating plan to the City of Madison Department of Planning, Community and Economic Development.

2. The Downtown Coordinating Committee (if convened) will review the proposed Operating Plan and after notice in the manner required by the BID Law, will adopt the Plan and make a recommendation to the full Common Council.

3. The Common Council will adopt the proposed Operating Plan.

4. If adopted by the Common Council, the proposed Operating Plan is sent to the Mayor, who will appoint, in accordance with Article III.D., members to the Board, and the non-voting advisors.

VII. **FUTURE YEAR OPERATING PLANS**

A. **Changes**

This Operating Plan is designed to authorize and control the BID for only its 2024 activities. It is anticipated that the district will continue to be renewed by the city after this 2024 Operating Plan, and in such renewals the district will revise and develop this Operating Plan annually, in response to changing needs and opportunities in the district, in accordance with the purposes and objectives defined in this Operating Plan. Future issues under consideration include fund development and expanding the district boundaries.

Wisconsin Statutes Section 66.1109 (3)(b) requires the Board and the City to annually review, approve, and make changes as appropriate in the Operating Plan. Therefore, while this document outlines in general terms proposed activities, information on specific properties, budget amounts and expenditures are based solely upon current conditions. Subsequent years' activities, budget, and assessments will be provided in the required annual plan updates, and approval by the Common Council of such plan updates shall be conclusive evidence of compliance with this Operating Plan and the BID Law.

B. **Termination of the District**

The District may be terminated as provided by law. At the end of each five-year term of the district (the next five-year term ends December 31, 2024), the District will automatically terminate unless there is a majority vote for the continuation of the BID. The next vote will be in 2024. The vote will be conducted by sending a ballot to each owner of property within the District subject to the BID special assessment. The vote will be conducted as outlined in Appendix E, Voting Process, and Appendix F, Sample Ballot.* The City Clerk's office will send, receive, and count the ballots. Ballots will be securely stored by the Clerk's Office, and may not be opened or counted until after the voting deadline has passed. Based on the returned ballots, an aggregate frontage will be calculated. The owners of over 50% of that voting aggregate frontage must vote affirmatively for the continuation of the BID.

**Appendices E and F outline the voting process as approved for 2019 and may be modified by the Board for the Operating Plan as appropriate.*

C. **Amendment and Severability**

The District has been created under authority of Wisconsin Statutes Section 66.1109. Should any court find any portion of this Operating Plan, or the BID Law invalid or unconstitutional its decision will not invalidate or terminate the District and this Operating Plan shall be amended to conform to the law without need of re-establishment.

D. **Automatic Termination Unless Affirmatively Extended**

The District is being adopted by the City of Madison for one additional year only, and must be renewed each year by Common Council approval of the annual Operating Plan to remain effective.

VIII. **GENERAL**

All exhibits referenced herein are incorporated herein by reference.

Approved by the Madison Common Council, _____

APPENDIX D

Madison's Central Business Improvement District (BID)

2024 Operating Budget

2-Nov-23

Revenues	**2024**	**2023**
Special Assessment	310898.02	311648.02
Map Advertising	30000.00	35000.00
Donations/Sponsorships	125000.00	10000.00
Programming Support	52225.00	52225.00
Event Support	72500.00	90000.00
Interest/Other	39500.00	2500.00
Reserves Applied	-1423.02	62500.00
Total Revenues	**628700.00**	**563873.02**
Expenses	**2024**	**2023**
Welcoming Environment	100200.00	83200.00
Marketing	80500.00	56500.00
Programming	106000.00	95000.00
Administration	339000.00	289500.00
Community Relations/Other	0.00	16000.00
Business Development	3000.00	1000.00
Total Expenses	**628700.00**	**541200.00**

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 79408

File ID:	79408	**File Type:**	Resolution	**Status:**	Report of Officer
Version:	2	**Reference:**		**Controlling Body:**	FINANCE COMMITTEE
				File Created Date :	08/16/2023
File Name:	Authorizing a selection committee for the State Street/Hawthorne Court Percent for Art projectsStreet/Hawthorne Court Percent for Art projects (District 2)			**Final Action:**	

Title: SUBSTITUTE: Authorizing a process for the Percent for Art projects for the State Street Campus Garage/Hawthorne Court redevelopment, including establishing the Ad Hoc State Street Campus Garage/Hawthorne Court Public Art Committee (District 2)

Notes:

Sponsors:	Marsha A. Rummel And Juliana R. Bennett	**Effective Date:**	
Attachments:	794088-Version 1.pdf	**Enactment Number:**	
Author:	Karin Wolf	**Hearing Date:**	
Entered by:	kwolf@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Department of Planning and Community and Economic Development	08/16/2023	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (10/9/23), Madison Arts Commission (10/11/23), Common Council (10/17/23)						
1	COMMON COUNCIL	09/05/2023	Referred	FINANCE COMMITTEE		10/09/2023	
	Action Text: This Resolution was Referred to the FINANCE COMMITTEE						
	Notes: Additional referral to Madison Arts Commission (10/11/23)						
1	FINANCE COMMITTEE	09/05/2023	Referred	MADISON ARTS COMMISSION			
	Action Text: This Resolution was Referred to the MADISON ARTS COMMISSION						
1	FINANCE COMMITTEE	10/09/2023	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Currie, seconded by Verveer, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						

2	COMMON COUNCIL	10/17/2023	Re-refer	MADISON ARTS COMMISSION	Pass
	Action Text:	A motion was made by Currie, seconded by Figueroa Cole, to Re-refer to the MADISON ARTS COMMISSION. The motion passed by voice vote/other.			
2	MADISON ARTS COMMISSION	11/09/2023	Return to Lead with the Recommendation for Common Council to Adopt		Pass
	Action Text:	A motion was made by January, seconded by Senarighi, to Return to Lead with the Recommendation for Common Council to Adopt. The motion passed by voice vote/other.			

Text of Legislative File 79408

Fiscal Note

The proposed resolution approves the processes by which the public art for the State Street Campus Garage project is chosen and approved. Funding for the public art is calculated as an additional 1% of the eligible project budget as called for in the Percent for Art ordinance (MGO 4.30). Construction estimates in the schematic design phase are $47,706,876; an additional 1% for art is $477,069.

The 2023 Capital Budget includes $48.0m for the State Street Campus Garage Replacement project (Munis project 14145) supported by $29.5m in Non-General Fund GO Borrowing and $18.5m in Parking Reserves. The 2024 Executive Capital Budget proposes $12.5m in TIF-supported GO Borrowing within the Parking Utility CIP to further support construction costs of the project. The 2020 Capital Budget included $200,000 in General Fund GO Borrowing within the Transportation Department CIP to support an Inter-City Intermodal Bus Terminal (Munis project 12775). No additional City appropriation is required with approval of the proposed resolution.

Title

SUBSTITUTE: Authorizing a process for the Percent for Art projects for the State Street Campus Garage/Hawthorne Court redevelopment, including establishing the Ad Hoc State Street Campus Garage/Hawthorne Court Public Art Committee (District 2)

Body

WHEREAS, multiple plans adopted by the Common Council over the last twenty years, including the Public Art Framework and Field Guide for Madison, Wisconsin (2002) (the “Public Art Framework”), the Madison Cultural Plan (2013), and the Comprehensive Plan (2018), recommend that the City integrate and fund public art as part of City capital projects as a primary way to introduce public art into the life of the community; and,

WHEREAS, in 2017, the Common Council adopted the Percent for Art Ordinance that requires that one percent (1%) of the City funding for capital projects with a total budget of at least $5 million be designated to integrate public art into the project; and,

WHEREAS, on January 18, 2023 the Common Council adopted Res-23-00053 File #75291, approving a contract with Eppstein Uhen Architects, Inc. for professional architecture and engineering design consulting services for the State Street Campus Garage redevelopment project; and,

WHEREAS, a variety of stakeholders have expressed that the State Street Campus Garage/Hawthorne Court redevelopment provide an opportunity to integrate public art from the design inception to create an overall artistic direction of the project; and,

WHEREAS, Madison Arts program staff will administer the public art component of State Street Campus Garage/Hawthorne Court projects, working closely with Engineering Division staff, using funding from the Percent for Art allocation for this project; and,

WHEREAS, The City will issue a Request for Qualifications (RFQ) to seek qualified artist(s) to submit their statements of interest and qualifications as the first phase of the artist selection process; and,

WHEREAS, the Public Art Framework recommends public input and information sharing as part of all major public design projects, and a broad spectrum of the community will be invited to open meetings throughout the selection process.

NOW, THEREFORE BE IT RESOLVED, that a public art process for the State Street Campus Garage/Hawthorne Court redevelopment is hereby authorized; and,

BE IT FURTHER RESOLVED, that the Ad Hoc State Street Campus Garage/Hawthorne Court Public Art Committee (the "Committee") is hereby established and shall include seven (7) members as follows:
One (1) Alder, representing District 2 of the City of Madison,
One (1) State Street/Downtown area resident,
One (1) State Street/Downtown area business representative ~~Two (2) State Street area stakeholders~~,
One (1) Faculty or Staff of the ~~Representative from~~ University of Wisconsin-Madison,
One (1) Public artist/Public art professional,
Two (2) Members of the Madison Arts Commission; and,

BE IT FURTHER RESOLVED, that members of the Committee shall be appointed by the Mayor and confirmed by the Common Council; and,

BE IT FURTHER RESOLVED, that the Committee shall review submitted proposals with support from the Planning, Purchasing, and Engineering Divisions and make recommendation(s) on their preferred artist(s), design(s),infrastructure, and other aspects of the Percent for Art projects to City art program staff; and,

BE IT FURTHER RESOLVED, that the Committee shall make efforts to engage and receive feedback from the University of Wisconsin-Madison student population; and

BE IT FURTHER RESOLVED, that the Department of Planning and Community and Economic Development is hereby authorized to pay design and other related fees necessary to support this process from the Percent for Art Allocation; and,

BE IT FURTHER RESOLVED, that the Common Council shall review final designs and authorize the execution of contract(s) over $50,000 with the artist(s) prior to fabrication and installation; and,
BE IT FINALLY RESOLVED, that the Committee shall be dissolved upon completion and acceptance of all projects funded from the Percent for Art allocation.

City of Madison

City of Madison
Madison, WI 53703
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Master

File Number: 79408

File ID:	79408	**File Type:**	Resolution	**Status:**	Items Referred
Version:	1	**Reference:**		**Controlling Body:**	MADISON ARTS COMMISSION
				File Created Date :	08/16/2023
File Name:	Authorizing a selection committee for the State Street/Hawthorne Court Percent for Art projectsStreet/Hawthorne Court Percent for Art projects (District 2)			**Final Action:**	

Title: Authorizing a process for the Percent for Art projects for the State Street Campus Garage/Hawthorne Court redevelopment, including establishing the Ad Hoc State Street Campus Garage/Hawthorne Court Public Art Committee (District 2)

Notes:

Sponsors:	Marsha A. Rummel And Juliana R. Bennett	**Effective Date:**	
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Text of Legislative File 79408

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The proposed resolution approves the processes by which the public art for the State Street Campus Garage project is chosen and approved. Funding for the public art is calculated as an additional 1% of the eligible project budget as called for in the Percent for Art ordinance (MGO

4.30). Construction estimates in the schematic design phase are $47,706,876; an additional 1% for art is $477,069.

The 2023 Capital Budget includes $48.0m for the State Street Campus Garage Replacement project (Munis project 14145) supported by $29.5m in Non-General Fund GO Borrowing and $18.5m in Parking Reserves. The 2024 Executive Capital Budget proposes $12.5m in TIF-supported GO Borrowing within the Parking Utility CIP to further support construction costs of the project. The 2020 Capital Budget included $200,000 in General Fund GO Borrowing within the Transportation Department CIP to support an Inter-City Intermodal Bus Terminal (Munis project 12775). No additional City appropriation is required with approval of the proposed resolution.

Title

Authorizing a process for the Percent for Art projects for the State Street Campus Garage/Hawthorne Court redevelopment, including establishing the Ad Hoc State Street Campus Garage/Hawthorne Court Public Art Committee (District 2)

Body

WHEREAS, multiple plans adopted by the Common Council over the last twenty years, including the Public Art Framework and Field Guide for Madison, Wisconsin (2002) (the “Public Art Framework”), the Madison Cultural Plan (2013), and the Comprehensive Plan (2018), recommend that the City integrate and fund public art as part of City capital projects as a primary way to introduce public art into the life of the community; and,

WHEREAS, in 2017, the Common Council adopted the Percent for Art Ordinance that requires that one percent (1%) of the City funding for capital projects with a total budget of at least $5 million be designated to integrate public art into the project; and,

WHEREAS, on January 18, 2023 the Common Council adopted Res-23-00053 File #75291, approving a contract with Eppstein Uhen Architects, Inc. for professional architecture and engineering design consulting services for the State Street Campus Garage redevelopment project; and,

WHEREAS, a variety of stakeholders have expressed that the State Street Campus Garage/Hawthorne Court redevelopment provide an opportunity to integrate public art from the design inception to create an overall artistic direction of the project; and,

WHEREAS, Madison Arts program staff will administer the public art component of State Street Campus Garage/Hawthorne Court projects, working closely with Engineering Division staff, using funding from the Percent for Art allocation for this project; and,

WHEREAS, The City will issue a Request for Qualifications (RFQ) to seek qualified artist(s) to submit their statements of interest and qualifications as the first phase of the artist selection process; and,

WHEREAS, the Public Art Framework recommends public input and information sharing as part of all major public design projects, and a broad spectrum of the community will be invited to open meetings throughout the selection process.

NOW, THEREFORE BE IT RESOLVED, that a public art process for the State Street Campus Garage/Hawthorne Court redevelopment is hereby authorized; and,

BE IT FURTHER RESOLVED, that the Ad Hoc State Street Campus Garage/Hawthorne Court Public Art Committee (the “Committee”) is hereby established and shall include seven (7) members as follows:
One (1) Alder,
Two (2) State Street area stakeholders,
One (1) Representative from University of Wisconsin-Madison,
One (1) Public artist/Public art professional,
Two (2) Members of the Madison Arts Commission; and,

BE IT FURTHER RESOLVED, that members of the Committee shall be appointed by the Mayor and confirmed by the Common Council; and,

BE IT FURTHER RESOLVED, that the Committee shall review submitted proposals with support from the Planning, Purchasing, and Engineering Divisions and make recommendation(s) on their preferred artist(s), design(s),infrastructure, and other aspects of the Percent for Art projects to City art program staff; and,

BE IT FURTHER RESOLVED, that the Department of Planning and Community and Economic Development is hereby authorized to pay design and other related fees necessary to support this process from the Percent for Art Allocation; and,

BE IT FURTHER RESOLVED, that the Common Council shall review final designs and authorize the execution of contract(s) over $50,000 with the artist(s) prior to fabrication and installation; and,
BE IT FINALLY RESOLVED, that the Committee shall be dissolved upon completion and acceptance of all projects funded from the Percent for Art allocation.

City of Madison

City of Madison
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File Number: 80423

File ID:	80423	**File Type:**	Resolution	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	FINANCE COMMITTEE
				File Created Date :	10/17/2023
File Name:	Authorizing the inclusion of a Land Use Restriction Agreement as an exhibit to the Purchase and Sale Agreement between Core Spaces, LLC (“Purchaser”) and the City of Madison for the Purchaser’s acquisition of the property located at 405 W. Gorham Street			**Final Action:**	

Title: Authorizing the inclusion of a Land Use Restriction Agreement as an exhibit to the Purchase and Sale Agreement between Core Spaces, LLC (“Purchaser”) and the City of Madison for the Purchaser’s acquisition of the property located at 405 W. Gorham Street (District 4)

Notes: Introduced BY TITLE ONLY from the floor on 10/17/23.

Sponsors:	Michael E. Verveer And MGR Govindarajan	**Effective Date:**	
Attachments:	Staff Comments.pdf, UW-Madison comment.pdf, Link to Demo File 79966, Link to Ord-Zoning File 80329, Link to Ord-Height Limit File 80308, Link to Cond Use File 79967, Link to CSM File 79992	**Enactment Number:**	
Author:	Heather Stouder	**Hearing Date:**	
Entered by:	hstouder@cityofmadison.com	**Published Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Department of Planning and Community and Economic Development	10/16/2023	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Common Council (11/21/23)						
1	COMMON COUNCIL	10/17/2023	Refer	FINANCE COMMITTEE		10/23/2023	Pass
	Action Text: A motion was made by Currie, seconded by Figueroa Cole, to Refer to the FINANCE COMMITTEE. The motion passed by voice vote/other.						
	Notes: Additional Referral to Plan Commission (11/13/23)						
1	FINANCE COMMITTEE	10/17/2023	Refer	PLAN COMMISSION		11/13/2023	
	Action Text: This Resolution was Refer to the PLAN COMMISSION						

1	FINANCE COMMITTEE	10/23/2023	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER		Pass
	Action Text:	A motion was made by Currie, seconded by Vidaver, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.			
1	PLAN COMMISSION	11/13/2023	Return to Lead with the Recommendation for Approval	FINANCE COMMITTEE	Pass
	Action Text:	A motion was made by Figueroa Cole, seconded by Field, to Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE. The motion passed by voice vote/other.			

Text of Legislative File 80423

Fiscal Note

The proposed resolution authorizes the inclusion of a Land Use Restriction Agreement to the Purchase and Sale Agreement authorized by Leg file 79643 (RES-23-00579). If the Purchaser fails to comply with the Agreement, the City would be eligible for compensation, and the Economic Development Division's budget would be amended in that instance. No additional City appropriation is required with the approval of the proposed resolution.

Title

Authorizing the inclusion of a Land Use Restriction Agreement as an exhibit to the Purchase and Sale Agreement between Core Spaces, LLC ("Purchaser") and the City of Madison for the Purchaser's acquisition of the property located at 405 W. Gorham Street (District 4)

Body

WHEREAS, as a university city, the City of Madison has a need for affordable student housing; and

WHEREAS, Section 28.071 of the Madison General Ordinance allows for buildings within the Downtown Height Map to exceed the maximum number of stories if the development or redevelopment receives City of Madison funding to support affordable units; and

WHEREAS, the Common Council adopted RES-23-00579 on September 19, 2023 authorizing the negotiation and execution of a Purchase and Sale Agreement for the property at 405 W. Gorham St between the City and Core Spaces, LLC ("Purchaser");

WHEREAS, the City and Purchaser have negotiated the terms of the Purchase and Sale Agreement, including a sale price of $1 as a form of financial contribution to support affordable units with the contingency that the Purchaser, City, and the University of Wisconsin-Madison enter into a mutual agreement regarding affordable student housing to be included in the proposed development; and

WHEREAS, the City and Purchaser have negotiated the terms of the Purchase and Sale Agreement, including requiring Purchaser to execute a land use restriction agreement with specific affordability requirements;

NOW, THEREFORE, BE IT RESOLVED that the City's Common Council hereby authorizes the inclusion of a Land Use Restriction Agreement as an exhibit to the Purchase and Sale Agreement, to include substantially the following terms:

1. Term. The Term of this LURA shall be Forty (40) years from the date of issuance of the certificate of occupancy for the Building, or that portion of the Building containing the

housing.

2. Affordability. Owner shall provide 10% of the Building's total beds (approximately one hundred sixty-five [165] beds) in two (2) bedroom dwelling units being leased to four (4) individuals (the ***"Low-Cost Beds"***). The Low-Cost Beds shall be leased to Eligible Students (defined below), at a lease rate that is forty-percent (40%) less (the ***"Student Discount"***) than the market rate charged for a bed in a comparable bed in the Building. Except for the Student Discount rental rate, the Eligible Student's leases shall include the same terms and conditions as those set forth in the market rate leases including, without limitation, the same right to relocate to another bed in another dwelling unit (whether in the unit described above or in another unit), but at the rental rate of the Student Discount. It is the intent of the parties that Eligible Students will be treated the same as the students with market rate leases except for the Student Discount. If an Eligible Student relocates to a bed in a unit other than the above described units, such student shall still count toward the [165] Low-Cost Beds requirement.

3. Eligibility. UW's Office of Student Financial Aid (***"UWOFA"***) and Owner shall agree on a Memorandum of Understanding (***"MOU"***), which shall be attached to the LURA as **Exhibit B**, with Owner to apply UWOFA's guidelines for determining eligibility based on household income, or other criteria (the ***"Eligible Students"***). Owner shall be deemed to have complied with this section by accepting students referred to the Owner by UWOFA. In the event UWOFA stops providing such service, Owner shall comply with the same UWOFA rules for eligibility at its own expense. In the event that Owner is unable to satisfy its obligation to provide the Student Discount as a result of its failure to satisfy its obligation, Owner may be required to add the deficient number of Low-Cost Beds to the number of Low-Cost Beds required for the next lease year as more fully set forth in the MOU.

4. Compliance. Owner shall provide a report each June during the Term certifying the number of leases to Eligible Students (***"Lease Certification"***). The City shall have the right, but not the obligation, to audit the Lease Certification in a commercially reasonable manner as it chooses (the ***"Audit"***), but with the understanding that the City shall not create public records of student names as a result of during the Audit.

5. Default. In the first event of a default under the LURA, and subject to the provisions of Sections [8] and [9], due to the failure to provide sufficient Low-Cost Beds, Owner shall pay to the City an amount equal to the Student Discount multiplied by the deficient number of Low-Cost Beds (***"Low-Cost Bed Deficiency"***). Any repeated Low-Cost Bed Deficiency, or other form of Default, shall result in the City having the option to seek specific performance, or liquidated damages as provided herein.

6. Liquidated Damages. The City and Owner agree that the approval of the additional stories under Madison General Ordinance 28.071(2)(a)2. will result in the authorization to construct a Building that has additional stories and rentable space resulting from the City Work. The harm to the City for failing to comply with the LURA would be difficult if not impossible to calculate, and, therefore, the parties agree that liquidated damages for willful uncured default shall be Eight Million Dollars ($8,000,000). In the event Owner pays the liquidated damages set forth in this Section [6], this LURA, the Agreement, and the MOU shall automatically terminate upon such payment and a release, in form and substance sufficient to remove the land use restrictions set forth in this LURA, shall be recorded promptly thereafter. The City's rights under this paragraph shall be in addition, and not cumulative, to all other rights and remedies at law or equity.

7. Indemnification. The Owner shall be liable to and hereby agrees to indemnify, defend and hold harmless the City of Madison, and its officers, officials, agents, and employees against all loss or expense (including liability costs and attorney's fees) by reason of any claim or suit, or of liability imposed by law upon the City or its officers, officials, agents or employees for damages because of bodily injury, including death at any time resulting therefrom, sustained by any person or persons or on account of damages to property, including loss of use thereof, arising from, in connection with, caused by or resulting from the Owner's and/or its subcontractor's acts or omissions in the performance of this LURA, whether caused by or contributed to by the negligence of the City, its officers, officials, agents, or its employees..

8. Meet and Confer. Whenever, during the term of the LURA, in advance of the payment of Liquidated Damages, and optionally upon any other default, any disagreement or dispute arises between the parties as to the interpretation of this LURA, or any rights or obligations arising hereunder, such matters shall be resolved, whenever possible, by meeting and conferring. The Owner shall produce, at the City's reasonable request, documents related to Eligible Students and Low-Cost Beds. Any party may request such a meeting by giving notice to the other; in which case such other party shall make itself available within seven (7) business days thereafter. If such matters cannot be so resolved within no more than ten (10) business days after the giving of such notice to confer, either party may proceed under any applicable remedy at law or in equity.

9. Opportunity to Cure. In the event Owner defaults in any of the covenants, agreements, commitments, or conditions herein contained, and any such default shall continue unremedied for a period of ten (10) days after written notice thereof to Owner, the City may, at its option and in addition to all other rights and remedies which it may have at law or in equity against Owner, including expressly the specific enforcement hereof, recover the Liquidated Damages defined in Section [6]. The City shall extend the cure period if the City determines, in its sole discretion, that the Owner has begun to cure the default and diligently pursues such cure, or, without further written notice to the Owner, declare the Owner in default. The cure period shall in no event be extended more than ninety (90) days.

10. Notices. Any notice, consent, waiver, request or other communication required or provided to be given under this LURA shall be in writing and shall be sufficiently given and shall be deemed given when delivered personally or when mailed by certified or registered mail, return receipt requested, postage prepaid, or when dispatched by nationally recognized overnight delivery service, in any event, addressed to the party's addresses below. If electing to utilize electronic mail, said emails shall be sent to the email addresses provided below with an active read receipt and shall include a statement that the electronic mail constitutes notice under the terms of this LURA.

If to City: City of Madison
Office of Real Estate Services
Economic Development Division
PO Box 2983
Madison, WI 53703
ores@cityofmadison.com

with copy to: City Attorney
City County Building, Room 401

210 Martin Luther King, Jr. Blvd.
Madison, WI 53703
mrobles@cityofmadison.com;
and attorney@cityofmadison.com

If to Owner: C/O Core Campus Manager
Attn: Brendan Miller & Austin Pagnotta
1643 N. Milwaukee Avenue, 5th Floor
Chicago, IL 60647
austinp@corespaces.com

or to such party at such other address as such party, by ten (10) days prior written notice given as herein provided, shall designate, provided that no party may require notice to be sent to more than two (2) addresses. Any notice given in any other manner shall be effective only upon receipt by the addressee.

11. Application of Funds. Any funds received by the City pursuant to this LURA, shall be applied toward programs supporting housing initiatives, 80% of which shall be allocated into the City's Affordable Housing Fund.

12. Miscellaneous.

A. Modification. No modification of any provision of this LURA will be binding upon the parties except as expressly set forth in a writing.

B. Time is of the Essence. Time is of the essence with respect to all payment provisions of this LURA.

C. Binding Effect. This LURA benefits the City, its successors and assigns, and binds Owner, its successors and assigns.

D. Severability. In the event any provision of this LURA is determined by a court of competent jurisdiction to be prohibited or unenforceable in any jurisdiction, this LURA and such provision shall be ineffective only to the extent of such prohibition or unenforceability without invalidating the remaining provisions of this LURA, which shall remain in full force and effect.

E. Governing Law. This LURA shall be interpreted, construed, and enforced according to the laws of the State of Wisconsin.

F. Counterparts. This LURA may be signed in counterparts, each of which shall be taken together as a whole to comprise a single document. Signatures on this LURA may be exchanged between the parties by facsimile, electronic scanned copy (.pdf) or similar technology and shall be as valid as original; and this LURA may be converted into electronic format and signed or given effect with one or more electronic signature(s) if the electronic signature(s) meets all requirements of Wis. Stat. ch. 137 or other applicable Wisconsin or Federal law. Executed copies or counterparts of this LURA may be delivered by facsimile or email and upon receipt will be deemed original and binding upon the parties hereto, whether or not a hard copy is also delivered. Copies of this LURA, fully executed, shall be as valid as an original.

G. Third Party Rights. This LURA is intended to be solely between the parties hereto. No part of this LURA shall be construed to add, supplement, amend, abridge or repeal existing rights, benefits or privileges of any third party or parties, including but not limited to employees of either of the parties.

City of Madison

City of Madison
Madison, WI 53703
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File Number: 80423

PLANNING DIVISION STAFF REPORT

November 13, 2023

PREPARED FOR THE PLAN COMMISSION

Project Address: **405-407 & 431 W Gorham Street, 408-430 W Johnson Street, and 304-318 N Broom Street** (District 3 – Alder Verveer)

Application Type: Demolition Permit, Land Use Restriction Agreement, Zoning Text Amendment, Zoning Map Amendment, Conditional Use, and Certified Survey Map Referral

Legistar File ID # 79966, 80423, 80308, 80329, 79967, and 79992

Prepared By: Chris Wells, Planning Division
Report includes comments from other City agencies, as noted.

Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Doug Tichenor; Core Madison Broom, LLC; 1643 North Milwaukee Street; Chicago, IL 60647

Contact: Brian Munson; Vandewalle & Associates; 120 East Lakeside Street; Madison, WI 53715

Property Owners: 431 W Gorham Street and 430 W Johnson Street -- Johnson Associates, LLP; 826 North Star Drive; Madison, WI 53718

407 W Gorham Street and 308-318 N Broom Street -- Madfish on Broom, LLC; 1202 Regent Street; Madison, WI 53715

304 N Broom Street and 408-414 W Johnson Street -- JDM Properties, LLC; 101 N Mills Street; Madison, WI 53715

416 and 422 W Johnson Street -- Mullins Apartments, LLP; 401 N Carroll Street, Madison, WI 53703

405 W Gorham Street -- City of Madison Engineering Division; 210 Martin Luther King, Jr. Boulevard, Room 115; Madison, WI 53703

Requested Actions: There are six requests before the Plan Commission:

- 79966 - 407 and 431 W Gorham Street, 408-430 W Johnson Street, and 304-318 N Broom Street; District 4: Consideration of a demolition permit to demolition of 13 residential buildings for a proposed residential redevelopment.
- 80423 - Authorizing the inclusion of a Land Use Restriction Agreement as an exhibit to the Purchase and Sale Agreement between Core Spaces, LLC ("Purchaser") and the City of Madison for the Purchaser's acquisition of the property located at 405 W. Gorham Street (District 4)
- 80308 - Amending the map in Section 28.071(2)(a) related to downtown height limits of the Madison General Ordinances to update the Downtown Height Map in the North Broom Street area. (District 4)
- 80329 - Creating Section 28.022-00646 of the Madison General Ordinances to change the zoning of property located at 405-407 & 311 West Gorham Street, 408-430 West Johnson Street, 304-318 North Broom Street, 4th Alder District, from PD (Planned Development), CN (Conservancy), and UMX (Urban Mixed-Use) District to UMX (Urban Mixed-Use) District. (District 4)

- 79967 - 405-407 and 431 W Gorham Street, 408-430 W Johnson Street, and 304-318 N Broom Street (District 4): Consideration of a conditional use in the [Proposed] Urban Mixed-Use (UMX) District for a multi-family dwelling with greater than eight (8) dwelling units; consideration of a conditional use in the UMX District for a new building greater than 20,000 square feet and more than four stories; and consideration of a conditional use in the UMX District for outdoor recreation, all to allow construction of an eight- to fifteen-story apartment building with approximately 465 units.
- 79992 - Approving a Certified Survey Map of property owned by Core Spaces, LLC located at 405-407 and 431 W Gorham Street, 408-430 W Johnson Street, and 304-318 N Broom Street; District 4.

Proposal Summary: The applicant is requesting the approvals to allow construction of an 8- to 15-story apartment building with approximately 465 units of housing intended for students. The applicant proposes to commence demolition of the 13 existing structures and begin construction of the development in Summer 2024, with completion anticipated in Fall 2026.

Applicable Regulations & Standards: This proposal is subject to the standards for zoning map amendments [MGO Section 28.182(6)] and Demolitions [MGO Section 28.185(7)]. It is also subject to the standards for Conditional Uses [MGO §28.183(6)] as Table 28E-2 in MGO Section 28.072 states that in the [Proposed] Urban Mixed-Use (UMX) District, a conditional use is required for a multi-family dwelling with greater than eight (8) dwelling units; and for outdoor recreation. Additionally, MGO Section 28.076(4)(c) states, "*All new buildings and additions greater than twenty thousand (20,000) square feet or that have more than four (4) stories shall obtain conditional use approval. In addition, the Urban Design Commission shall review such projects for conformity to the design standards in Sec. 28.071(3), if applicable, and the Downtown Urban Design Guidelines and shall report its findings to the Plan Commission.*" Lastly, MGO Section 16.23(5)(g) provides the process and standards of approval for certified survey maps. The Supplemental Regulations [MGO §28.151] contain further applicable regulations for *Outdoor Recreation*.

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

Summary Recommendation:

- That the Plan Commission find that the standards for demolition permits are met and **approve** the demolition of the 13 residential buildings;
- That the Plan Commission forward the inclusion of a Land Use Restriction Agreement (as an exhibit to the Purchase and Sale Agreement between Core Spaces, LLC ("Purchaser") and the City of Madison for the Purchaser's acquisition of the property located at 405 W. Gorham Street) to the Common Council with a recommendation of **approval**.
- That the Plan Commission forward the amendment of the map in Section 28.071(2)(a) related to downtown height limits of the Madison General Ordinances to update the Downtown Height Map in the North Broom Street area to the Common Council with a recommendation of **approval**.
- That the Plan Commission find that the Zoning Map Amendment Standards are met and forward Zoning Map Amendment ID 28.022-00646, rezoning 405-407 & 311 West Gorham Street, 408-430 West Johnson Street, 304-318 North Broom Street, 4th Alder District, from PD (Planned Development), CN (Conservancy), and UMX (Urban Mixed-Use) District to UMX (Urban Mixed-Use) District to the Common Council with a recommendation of **approval**.

- That the Plan Commission find that the standards for conditional uses are met and **approve** a request for a multi-family dwelling with greater than eight (8) dwelling units in the [Proposed] Urban Mixed-Use (UMX) District; for a new building greater than 20,000 square feet and more than four stories in the UMX District; and for outdoor recreation in the UMX District - all to allow construction of an 8- to 15-story apartment building with approximately 465 units.
- Finally, should the other aspects of the proposal be approved, the Planning Division believes the technical standards for land divisions can be found met and recommends the Plan Commission should forward the Certified Survey Map to the Common Council with a recommendation of **approval**.

Approval of the project should be subject to input at the public hearing, and the recommended conditions beginning on **page 15** of this report for the land use requests, and on **page 25** for the CSM.

Background Information

Parcel Location: The development site is 73,127 square-feet (1.68 acres) in area and is located at the east end of the block bound by W Johnson Street, N Broom Street, W Gorham Street and N Bassett Street. The site has frontage along W Johnson and N Broom Streets, and again on W Gorham Street (see Image 1 in the Project Description section.) It is located within Alder District 4 (Ald. Verveer) and the Madison Metropolitan School District.

Existing Conditions and Land Use:

- According to City records, La Ville, the 10-story, 60-unit apartment building at 431 W Gorham Street, was originally constructed in 1990. It is zoned PD (Planned Development District);
- The 2-story, 2-unit at 407 W Gorham Street was originally constructed in 1894. It is zoned UMX (Urban Mixed-Use District);
- The parcel at 405 W Gorham St is vacant. It is zoned CN (Conservancy District);
- The 2-story, 2-unit at 318 N Broom Street was originally constructed in 1875. It is zoned UMX;
- The 2½-story, 4-unit at 314 N Broom Street was originally constructed in 1904. It is zoned UMX;
- The 2½-story, 3-unit at 312 N Broom Street was originally constructed in 1898. It is zoned UMX;
- The 2-story single-family residence at 308 N Broom Street was originally constructed in 1885. It is zoned UMX;
- The 2-story, 2-unit at 304 N Broom Street was originally constructed in 1870. It is zoned UMX;
- The 2-story, 2-unit at 408 W Johnson Street was originally constructed in 1899. It is zoned UMX;
- The 3-story, 9-unit apartment building at 412 W Johnson Street was originally constructed in 1990. It is zoned PD;
- The 2½-story, 3-unit at 414 W Johnson Street was originally constructed in 1899. It is zoned PD;
- The 3-story, 3-unit at 416 W Johnson Street was originally constructed in 1914. It is zoned UMX;
- The 4-story, 28-unit apartment building at 422 W Johnson Street was originally constructed in 1973. It is zoned UMX;
- The 8-story, 42-unit apartment building at 430 W Johnson Street was originally constructed in 1969.

Surrounding Land Uses and Zoning:

Northwest: The Equinox, a 12-story, 115-unit apartment building. Across W Johnson Street are two-story and three-story buildings with ground floor commercial and The James, a 12-story mixed-use building with ground floor commercial and 348 units, all zoned UMX (Urban Mixed-Use District), and 420 West, a six-story, 80-unit apartment building, zoned PD (Planned Development District);

Northeast: Across N Broom Street is a 2-story office building (the former city fire station) occupying the southern corner of the block and zoned UMX (Urban Mixed-Use District), and The Oliv – a 10-story, mixed-use building containing 386 units of student housing, retail, and business incubator space. It is zoned PD;

Southeast: Across W Johnson Street is the 12-story, 160-unit Lux apartment building and the 12-story, 326-unit Domain apartment building. Both are zoned UMX;

Southwest: An 11-story, 194-room Hampton Inn & Suites (which contains a restaurant on the ground floor) and the Aberdeen, a 12-story, 77-unit apartment building. Both are zoned PD.

Adopted Land Use Plan: Information regarding plan recommendations and consistency is located in the body of this report.

Zoning Summary: The site is proposed to be zoned to the UMX (Urban Mixed-Use) District

Requirements	Required	Proposed
Lot Area (sq. ft.)	3,000	73,127
Lot Width	30 ft	230 ft
Front Yard Setback	5 ft	5 ft
Max. Front Yard Setback	10 ft	5 ft
Side Yard Setback	5 ft	10 ft, 5 ft
Rear Yard Setback	10 ft	10 ft
Usable Open Space	10 sq ft/bedroom = 16,240	27,726 sq ft
Maximum Lot Coverage	90%	88%
Minimum Building Height	2 stories	8-14 stories
Maximum Building Height	8-14 stories	8-14 stories

Site Design	Required	Proposed
Number Parking Stalls	No minimum	124
Electric Vehicle Stalls	EV Ready: 12 EV Installed: 2	EV Ready: 124 (*See Comment #53*) EV Installed: 3
Accessible Stalls	5	5
Loading	No	No
Number Bike Parking Stalls	1 per d.u up to 2 br (465) + ½ space per add'l br (236) + 1 guest space/10 d.u. (47) + 1 per 2,000 sq ft retail (2) = 750	761 (*See Comment #54*)
Landscaping and Screening	Yes	Yes (*See Comment #55*)
Lighting	Yes	Yes
Building Form and Design	Yes	Commercial Block Building

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

Tables Prepared by Jacob Moskowitz, Assistant Zoning Administrator

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

Public Utilities and Services: The site is served by a full range of urban services, including Metro Transit service which operates daily all-day (eastbound) transit service along the priority W Johnson Street corridor, adjacent this property. Additional (southbound) trips operate along Bassett Street, opposite this property. Trips in the opposing one-way direction (westbound) operate along Broom Street and/or the priority W Gorham Street corridor.

Project Description

The applicant is requesting multiple approvals to allow construction of an 8- to 15-story apartment building with approximately 465 units. These approvals include the following:

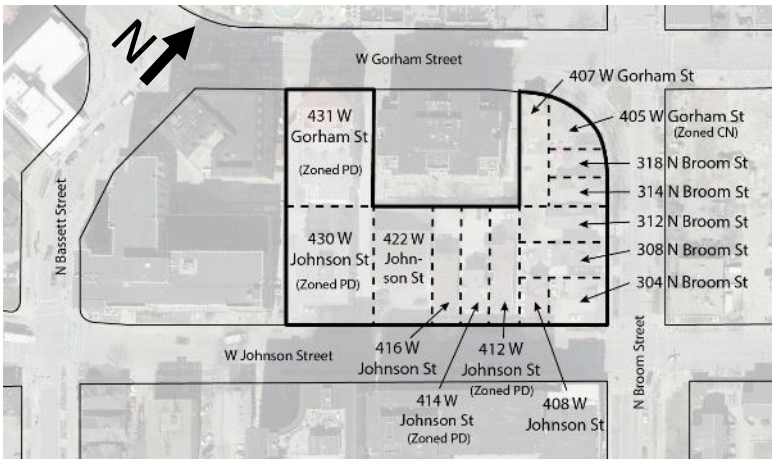


Image 1: The parcels proposed to be combined via Certified Survey Map (CSM) to form the subject parcel. Note: All parcels involved are zoned UMX (Urban Mixed-Use District) until noted otherwise.

- Demolition permits to raze thirteen residential buildings;
- A voluntary Land Use Restriction Agreement (LURA) to provide affordable units;
- A Zoning Text Amendment to make minor adjustments to the Downtown Height Map in the North Broom Street area;
- Three (3) Conditional Uses (for the number of units, for the size and height, and for outdoor recreation);
- A Zoning Map Amendment to rezone five of the parcels from the PD (Planned Development) and CN (Conservancy) Districts to UMX (Urban Mixed-Use) District to provide UMX zoning across the entire project site; and
- A one-lot certified survey map to combine the various lots into one development site.

The 1.68-acre subject site is located at the east end of the block bound by W Johnson Street, N Broom Street, W Dayton Street and N Bassett Street. (See Image 1.) There is roughly 12 feet of grade drop north to south across the site.

Information on the buildings proposed for demolition is summarized on page 3 of this report and photos of the interior and exterior of each of the thirteen buildings has been included in the applicant's materials.

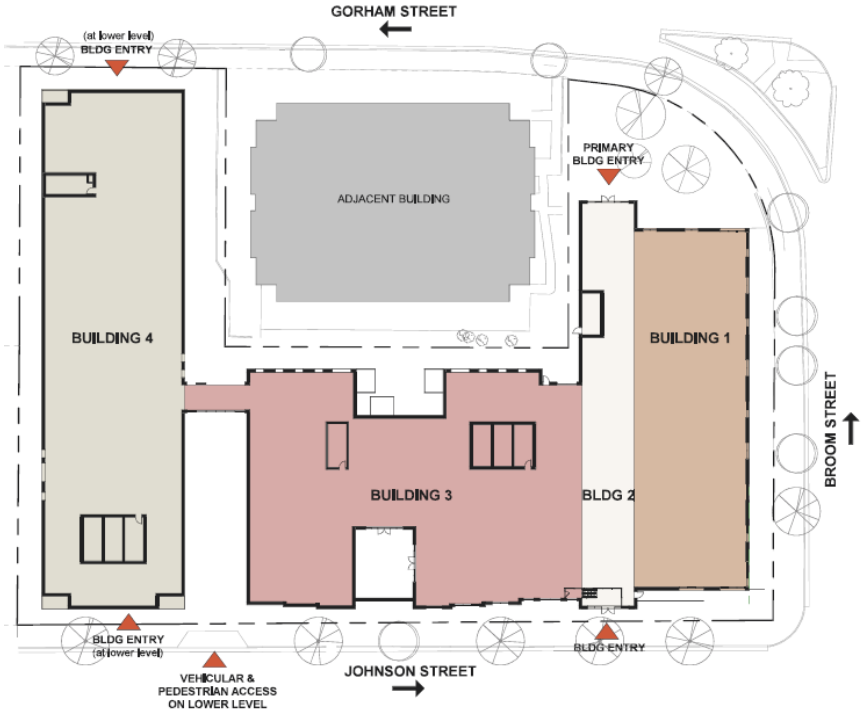


Image 2: The development's four building 'expressions' (masses)

As noted in the submitted materials, the proposed development is broken into four building 'expressions' (masses). (See Image 2). 'Building 1' is eight stories in height and is clad with a charcoal-colored brick on the ground floor. The façade of the upper floors is broken up into thirds, with sections clad with a medium brown brick bookending a center section which is clad with a charcoal-colored metal paneling.

'Building 2' is a slender 14-story mass clad with white metal paneling. It has an occupiable rooftop/amenity deck.

'Building 3' is a large 14-story mass. The exterior cladding accompanies the modulation of the façade along W Johnson Street with reddish brick cladding the portions of the façade located closest to the sidewalk and a charcoal-colored metal paneling cladding the recessed portions. It also has an occupiable rooftop/amenity deck.

'Building 4', offset from Buildings 1-3 (yet connected via a glass skyway at the second floor level), is 15 stories in height. It sits along the southwest property line, at the lowest point of the site, low enough to get an 'extra' floor. The first floor (the base) is clad with a charcoal-colored brick, floors 2-12 are clad with a whitish brick, and floors 13-14 are clad with a charcoal-colored metal paneling.

The Zoning Administrator has determined that the amenity deck (with pool and hot tub/spa) and enclosed amenity space located atop Buildings 2 and 3 constitute a 15th story.

Automobiles will enter off W Johnson Street near the southern end of the development. A circular turn around provides access to two levels of underbuilding parking. One, located on Lower Level 1 of Buildings 1-3, contains 53 automobile stalls and 318 bicycle stalls (and six stalls for deliveries and car-share pickup located just off the round-about). The other, located on Lower Level 2, beneath Building 3 and 4, contains 71 automobile stalls and 320 bicycle stalls. Additional rooms containing bicycle parking are located on the Lower Level 1 of Building 4.

As for the building's program, a roughly 4,000-square-foot retail space is located on Lower Level 1 (as labelled in the submitted materials), along Building 4's W Gorham Street frontage. A small lobby space is located at the south end of Building 4, along W Johnson Street, and provides access to elevators, stairs, and an indoor bicycle storage room. A lobby/leasing/amenity space covers nearly the entire eastern half of Level 1 - from the main entrance located at the northern corner of the development facing W Gorham Street, all along the N Broom Street façade, and halfway down the W Johnson Street façade. Residential units occupy the remainder of Level 1 and the entirety of the floors above. In total, there are a 465 units: 13 'micro' units, 35 'studio' units, 55 one-bedroom units, 168 two-bedroom units, 2 three-bedroom units, 101 four-bedroom units, 85 five-bedroom units, and 6 townhome units (3 four-bedroom units and 3 five-bedroom units). While there are a total of 1301 bedrooms, since a number of the units have two beds in a bedroom, there are 1,624 beds.

The applicant has voluntarily agreed to provide 10 percent of the beds (165 in all) at a rate that is 40-percent below the market rate. They are proposing to enter into a Land Use Restriction Agreement (LURA) with the City (Legistar File ID 80423) and a Memorandum of Understanding (MOU) with the University of Wisconsin's Office of Student Financial Aid. (The current version of the LURA can be found here.) The agreement would require that for a term of least 40 years, the applicant will provide 165 beds in two (2) bedroom dwelling units being leased to four (4) individuals at a rate at least 40-percent less than the market rate charged for a bed in a comparable bed in the building. These beds would be leased to qualified University of Wisconsin-Madison applicants as determined to be eligible by the University's Office of Financial Aid (UOFA). The terms of that agreement are voluntarily being agreed to by both the developer and City. Staff notes that as part of this review, the Plan Commission or Common Council do not have the ability to require affordable units or alter the terms of that agreement.

Since the proposed development would have a voluntary LURA to provide affordable beds, MGO Section 28.071(2)(a)2.a. states that it may exceed the maximum number of stories (i.e. 6 along N Broom Street and 12 for the rest of the site), "*provided the building remains at or below the maximum height in feet in Table 28E-3.*" (i.e. 88 feet for a six-story building and 172 feet for a 12-story building). To exceed the maximum number of stories, the code states that one requirement was if the development or redevelopment receives City of Madison funding to support affordable units. To this end, on September 19. 2023, the Council approved the sale of the 405 W. Gorham Street parcel between the City and Core Spaces, LLC for $1.00. As $1.00 is well below the appraised value, it is considered a form of financial contribution to support affordable units.

Regarding the impact to existing street trees, there are only two trees, both located along W Johnson Street, which proposed for removal (and Forestry is supportive of (see Condition #62)). The first is the 16" Elm (proposed to be removed for the proposed driveway apron) and the 19" Elm (proposed for removal due to construction conflicts).

Finally Staff note that Traffic Engineering is currently studying the possibility of removing the left-turn 'slip lane' northbound on N Broom Street onto W Johnson Street. Given the number of students that will reside in and visit the proposed development, safe pedestrian movement across N Broom and W Johnson Streets to and from the development is a concern. As Traffic Engineering noted in their submitted condition (#33), required improvements may include but are not limited to: signing and marking improvements, lighting improvements, constructing a raised crossing, reducing the width of the crossing and/or removal of the left turn lane from N. Broom Street to W. Gorham Street.

Analysis

This proposal is subject to the standards for zoning map amendments [MGO Section 28.182(6)] and Demolitions [MGO Section 28.185(7)]. It is also subject to the standards for Conditional Uses [MGO §28.183(6)] as Table 28E-2 in MGO Section 28.072 states that in the [Proposed] Urban Mixed-Use (UMX) District, a conditional use is required for a multi-family dwelling with greater than eight (8) dwelling units; as well as for outdoor recreation. Additionally, MGO Section 28.076(4)(c) states, "*All new buildings and additions greater than twenty thousand (20,000) square feet or that have more than four (4) stories shall obtain conditional use approval. In addition, the Urban Design Commission shall review such projects for conformity to the design standards in Sec. 28.071(3), if applicable, and the Downtown Urban Design Guidelines and shall report its findings to the Plan Commission.*" Lastly, MGO Section 16.23(5)(g) provides the process and standards of approval for certified survey maps. The Supplemental Regulations [MGO §28.151] contain further applicable regulations for *Outdoor Recreation*.

Conformance with Adopted Plans

The 2018 Comprehensive Plan recommends Downtown Mixed-Use (DMU) development for the subject site's entire block. The Plan notes that this includes "*intensive mixed-use development*" which is "*generally more* focused *on residential, retail, and service uses than Downtown Core (DC) areas, but may also include some government and employment uses."* The Plan also notes that, while subject to the Downtown Plan height map, some DMU areas "*are appropriate for mixed-use development that can rival development intensities within DC areas (e.g., Ovation 309, The James, and The Hub developments*)." (Page 24) For details on heights, mix of uses, ground floor uses, pedestrian friendly design, and other considerations which the Plan notes "must be addressed for development within this category", the Plan defers to the Downtown Plan.

The 2012 Downtown Plan notes that the appropriate height for new buildings is influenced by numerous factors such as topography, important view corridors and viewsheds, the presence of historic buildings, the use and scale recommendations for an area, and the existing scale of buildings in the vicinity. For the subject site, it recommends a maximum of 12 stories for the western half and six stories for the eastern. (See Image 3).

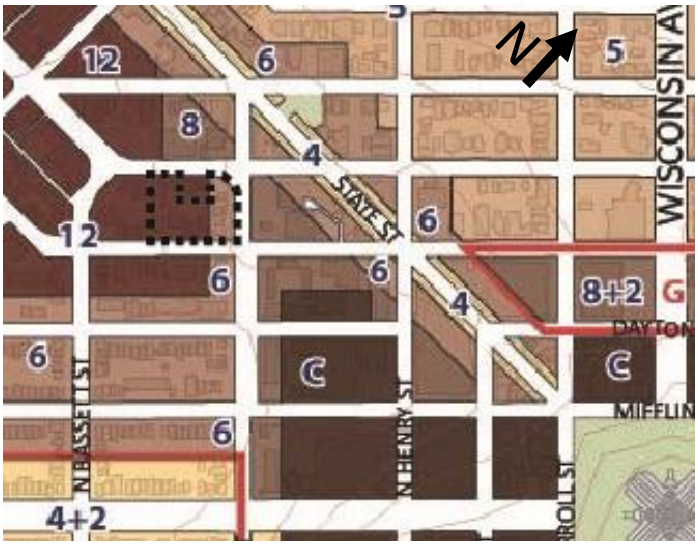


Image 3: Maximum Building Heights as Recommended by the Downtown Plan.

It also does identify the subject site within the "Johnson Street Bend" neighborhood/district for which it recommends, "*should continue as a primarily higher density student residential area mixed with some new neighborhood-serving retail uses. Underutilized parcels should transition to more intense development with a particular emphasis on creating active and engaging street frontages and quasi-public areas. Linkages to adjacent areas, including parks and open spaces, should be enhanced.*"

Relatedly, a zoning text amendment (Legistar File ID 80308) is working its way through the City's committees and commissions which would amend the Downtown Height Map in MGO Section 28.071(2)(a) related to in the North Broom Street area. (See Image 4 on the following page) It would straighten the dividing line along N Broom Street between allowable six (6) stories and twelve (12) stories on the downtown height map. The previously mapped building height lines jogged to follow lot lines that existed when the map was created. The proposed development will combine the adjacent lots making the jogged line unnecessary. This would bring the Zoning Code's building height map in line with the height recommendations of the Downtown Plan.

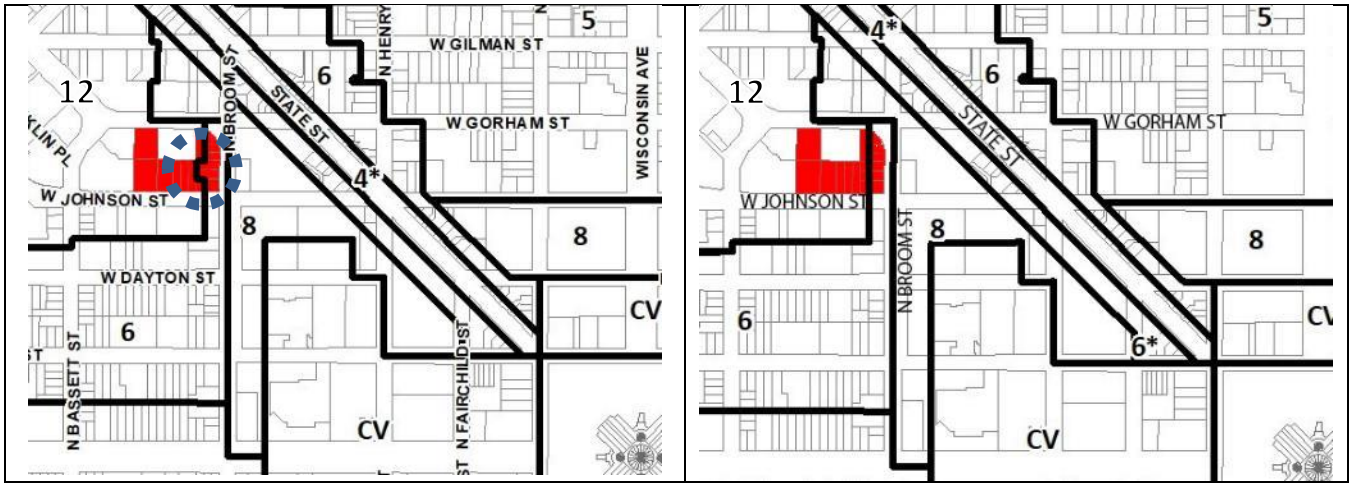


Image 4: Downtown Height Map in MGO Section 28.071(2)(a). Left: the current version (with the area proposed to be changes indicated with a dashed circle). Right: the proposed version with the change made.

As explained in the previous section, the proposed development exceeds the maximum number of stories allowed by the Zoning Code due to the fact that the City of Madison has granted funding in the form of a below-market value land sale to support the affordable units. That said, Staff believe the 8/15 stories to be consistent with MGO Section 28.071(2)(a)2.a. as the proposed building remains at or below the maximum height in feet in Table 28E-3. (i.e. 88 feet for a six-story building and 172 feet for a 12-story building). With the proposal, the eight-story mass is roughly 85 feet in height and the 15-story masses, even with the rooftop mechanical projections, is roughly 160 feet tall. (Staff note that the buildings, at its tallest, lies just below the Capital Height Projection Limit.)

Demolition Permit Standards

At its October 5, 2021 meeting, the Common Council adopted Ordinance 21-00065 (ID 67074) to revise the standards and process for demolition and removal permits in Section 28.185 of the Zoning Code to remove consideration of proposed future use as a factor in approving demolition requests. The Plan Commission shall consider the seven approval standards in §28.185(9)(c) M.G.O. when making a determination regarding demolition requests and find them met in order to approve. The factors include a finding that the proposed demolition or removal is consistent with the statement of purpose of the demolition permits section and with the health, prosperity, safety, and welfare of the City of Madison. The statement of purpose in Section 28.185 states, in part:

> *"The purpose of this section is therefore to ensure the preservation of historic buildings, encourage applicants to strongly consider relocating rather than demolishing existing buildings, aid in the implementation of adopted City plans, maximize the reuse or recycling of materials resulting from a demolition, protect the public from potentially unsafe structures and public nuisances…"*

Information on the buildings proposed for demolition is summarized on page 3 of this report and photos of the interior and exterior of each of the thirteen buildings has been included in the applicant's materials.

On balance, staff believes that standards can be found met and provides the following additional information.

In regards to Standard 1 related to the possible building relocation efforts, the Plan Commission is required to consider any information provided related to possible relocation activities. In submitted materials, the applicant states, "*The existing smaller scale buildings (SF, 2 unit, and 4 unit buildings) are not eligible for relocation due to the age of structures, impact on existing street trees and financial ramifications caused by the distance to any eligible relocation sites. The larger scale apartment buildings cannot be relocated due to the size of the structures.*"

In regards to Standard 6, Planning Division staff have not received any comments from City Building Inspection, Fire, or Police and have no further condition information other than the interior and exterior photos and a statement by the applicant that the structures are being proposed for demolition due to "*functional obsolescence, and inability for reuse/retention due to lot configuration impacts on the overall project site limiting the potential to incorporate City planning goals for the site*" (e.g. it would prevent the construction of a 6- to 12-story building as recommended by the Comprehensive Plan.) From the submitted information, staff is not aware of significant structural issues. While the code notes condition must be considered, it does not specify that a certain structural condition or level of disrepair is necessary in order to approve a demolition.

Related to the historic value of the structures, staff notes Standard 4 states:

> "*The Plan Commission has received and considered the report of the City's historic preservation planner regarding the historic value of the property as well as any report that may be submitted by the Landmarks Commission.*"

The Landmarks Commission reviewed the demolition of the thirteen buildings at its May 15, 2023 meeting and recommended to the Plan Commission that the buildings at 408 W Johnson Street, 412 W Johnson Street, 414 W Johnson Street, 416 W Johnson Street, 422 W Johnson Street, 430 W Johnson Street, 407 W Gorham Street, and 431 W Gorham Street "*have no known historic value.*"

Regarding the buildings at 304 N Broom Street, 308 N Broom Street, 312 N Broom Street, 314 N Broom Street, and 318 N Broom Street, the Landmarks Commission found that the buildings "*have historic value related to the vernacular context of Madison's built environment, but the buildings themselves are not historically, architecturally, or culturally significant.*" (Materials related to that review from the May 15, 2029 meeting can be found here: the Staff Report to the Landmarks Commission and the Meeting Report.)

Of note, in the Staff Report to the Landmarks Commission referenced above, for the building at 304 N Broom Street, Staff note: "*The preservation file names this Italianate structure the Frank Zehnpfenning house, a German immigrant shoemaker who lived in the house until 1881, after which, it was occupied for generations by the Cnare family. The Wisconsin Historical Society site file contains similar information*." For the building at 312 N Broom Street, Staff note: "*The preservation file for this property has limited information and names it the James Engelberger House, a vernacular Queen Anne structure. There is no site file with the Wisconsin Historical Society.*"

For the building at 318 N Broom Street, Staff note: "*The preservation file notes this building was constructed by James Livesey for Nicholaus Behrand, a German immigrant who initially operated a blacksmith shop on State and Gorham, and later became the bailiff for the U.S. Circuit Court. The Behrand family lived in this Italianate brick building until at least 1950 (except for a 12-year interval when they lived next-door). A 1950 article in the presentation files provides history on the importance of the family to the development of Madison. The Wisconsin Historical Society site file contains similar information.*"

For the structures at 308 and 314 N Broom Street, neither City preservation files nor site files with the Wisconsin Historical Society for these properties.

Standard 7, which includes references the standards 1-6 states that *"The Plan Commission shall consider the factors and information specified in items 1-6 and find that the proposed demolition or removal is consistent with the statement of purpose of this section and with the health, prosperity, safety, and welfare of the City of Madison."*

The Plan Commission should give careful consideration to the findings of the Landmarks Condition, including that the five buildings have value have historic value related to the vernacular context of Madison's built environment. Considering, however, that the buildings themselves were not found to be of historical, cultural, or architectural significance, on-balance, the Staff believes that the demolition permit standards can be found met.

Zoning Map Amendment Standards

Limited Zoning Map Amendments are proposed in order to provide consistent UMX (Urban Mixed-Use District) zoning across the proposed project site. The standards for Zoning Map Amendments state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City's Comprehensive Plan. 2010 Wisconsin Act 372 clarified "*consistent with" as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan*."

Staff believe the proposed rezonings are consistent with adopted plans and that the Zoning Map Amendment standards can be found met.

Conditional Use Standards

The Plan Commission may 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]."

Staff provide the following discussion:

Standard 2 states:

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

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

Standard 3 states:

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

The applicant has submitted a Management Plan which can be reviewed in the Legistar File for the conditional use and is linked here.

Standard 6 states:

> *"Measures, which may include transportation demand management (TDM) and participation in a transportation management association have been or will be taken to provide adequate ingress and egress, including all off-site improvements, so designed as to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets."*

The applicant will need to complete and submit a Transportation Demand Management Plan to be reviewed and approved by Parking prior to final sign off and issuance of permits.

Standard 9 states, in part:

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

Staff have a few concerns related to the building's design. The first, which was raised at the Urban Design Commission meeting on November 1, is the lack of ground-floor entrances along the entire 185-foot N Broom Street façade as well as roughly 230 feet of the W Johnson Street frontage. Staff note that the UDC at their aforementioned meeting on November 1, added a condition that an additional connection to the street be incorporated along the W Johnson Street frontage. Staff however still believe that an additional entrance is needed along the N Broom Street frontage noting that, if the Building 1 were a stand-alone building, that a primary entrance oriented to the primary abutting street would be required. (Staff acknowledge that an entrance facing W Gorham could meet this requirement if it were located at or wrapped the north corner).

The second concern is the significant blank wall expanse located on the upper floors of the southwest façade of Building 2 (see Sheet 36 "Elevation Promenade Bldg 3" in the submitted materials). The units on the first eight floors of that façade have multiple windows while the units on Floors 9-14 have none, despite the fact that the upper floors would actually afford a view and be less obscured by the adjacent 12-story Equinox building. When brought up to the applicant, they responded with the following, "*As presented to and approved by UDC, this area on the back side of building 2 is predominately bathrooms on the floors 9-14. This is in the narrow section of the building 2 and the design pushes the living room/kitchen/bedrooms to the Broom- and Gorham-facing facades to maximize views. This section of the building is also effectively screened from view by the Equinox as the building is pulled back from the street frontage and the two buildings are closest together along this property line.*" To this end, Staff note that the northwest façade of Building 2 is set approximately 50 feet further back from W Gorham Street than the same façade of the adjacent 12-story Equinox building meaning the views of the section of blank façade from the public right-of-way will be extremely limited.

Urban Design Commission Review

As the proposed building is located within the UMX (Urban Mixed-Use) District, the UDC is an **advisory** body on this request. Section 28.076(4)(c) states that: "All new buildings and additions greater than twenty thousand (20,000) square feet or that have more than four (4) stories shall obtain conditional use approval. In addition, the Urban Design Commission shall review such projects for conformity to the design standards in Section 28.071(3), if applicable, and the Downtown Urban Design Guidelines and shall report its findings to the Plan Commission."

At their meeting on November 1, 2023, the Urban Design Commission made an **ADVISORY RECOMMENDATION to the Plan Commission to grant Initial Approval with the project returning to the UDC for Final Approval**. (The Legistar File ID for the UDC's review of this project is 76205). A copy of the report of the UDC has been included at the end of this staff report). The motion, which passed with a unanimous vote, included the following condition:

- That a connection to the street be incorporated along the W Johnson Street frontage.

Supplemental Regulations

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

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

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

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

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

Regarding Regulation (c), the applicant's submitted management plan includes the hours of operation of the outdoor patios (9:00 am to 10:00 am on weekdays and 9:00 am to 11 pm on weekends) and a description of how the management team will help alleviate concerns:

> "*On-call team members will be available to visit the pool deck during these closing hours and escort customers off the rooftop. All access points to the pool deck will include a lock or fob reader to restrict customer access after pool hours. CCTV systems are also in place throughout the deck to ensure all activities are captured both during the day and evening should a trespass occur. To control resident and guest occupancy of the deck during popular periods random walks and checks are conducted by team members throughout the day and cameras can be viewed remotely to be sure these items are within normal operating standards. Each customer is only allowed one guest at a time on the deck and management has certain protections outlined in the rules and regulations section of the lease with wristbands or other guest and customer identifying measures to help control overcrowding and other noise concerns.*"

With the restrictions listed above, Staff believe the Supplemental Regulations can be found met.

Land Division

The applicant has submitted a certified survey map to combine the 405-407 & 431 W Gorham Street, 408-430 W Johnson Street, and 304-318 N Broom Street parcels in order to create one parcel. M.G.O. Section 16.23(5)(g) provides the process for certified survey maps. Staff believe that all applicable standards for land divisions can be found met, subject to the comments recommended by reviewing agencies.

Public Input

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

Conclusion

The applicant is requesting approval of a demolition permit to raze thirteen residential buildings, a Land Use Restriction Agreement related to the acquisition of the property located at 405 W Gorham Street, a zoning text amendment to update the Downtown Height Map in the North Broom Street area, three conditional uses (for the number of units, for the size and height, and for outdoor recreation), and a zoning map amendment to rezone five of the parcels from the PD (Planned Development) and CN (Conservancy) Districts to the UMX (Urban Mixed-Use) District to match the rest – all to allow construction of an 8- to 15-story apartment building with approximately 465 units. This applicant is also requesting approval of a one-lot certified survey map to combine the various lots into one development site.

While Staff believe the demolition, zoning map amendment, and land division standards can be found met, Staff have concern regarding Conditional Use Standard 9. As summarized in the report, Staff are concerned with the lack of entrances along large stretches of the building frontage and a large blank façade expanse.

Recommendation

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

- That the Plan Commission find that the standards for demolition permits are met and **approve** the demolition of the 13 residential buildings;
- That the Plan Commission forward the inclusion of a Land Use Restriction Agreement (as an exhibit to the Purchase and Sale Agreement between Core Spaces, LLC ("Purchaser") and the City of Madison for the Purchaser's acquisition of the property located at 405 W. Gorham Street) to the Common Council with a recommendation of **approval**.
- That the Plan Commission forward the amendment of the map in Section 28.071(2)(a) related to downtown height limits of the Madison General Ordinances to update the Downtown Height Map in the North Broom Street area to the Common Council with a recommendation of **approval**.
- That the Plan Commission find that the Zoning Map Amendment Standards are met and forward Zoning Map Amendment ID 28.022-00646, rezoning 405-407 & 311 West Gorham Street, 408-430 West Johnson Street, 304-318 North Broom Street, 4th Alder District, from PD (Planned Development), CN (Conservancy), and UMX (Urban Mixed-Use) District to UMX (Urban Mixed-Use) District to the Common Council with a recommendation of **approval**.
- That the Plan Commission find that the standards for conditional uses are met and **approve** a request for a multi-family dwelling with greater than eight (8) dwelling units in the [Proposed] Urban Mixed-Use (UMX) District; for a new building greater than 20,000 square feet and more than four stories in the UMX District; and for outdoor recreation in the UMX District - all to allow construction of an 8- to 15-story apartment building with approximately 465 units.

- Finally, should the other aspects of the proposal be approved, the Planning Division believes the technical standards for land divisions can be found met and recommends the Plan Commission should forward the Certified Survey Map to the Common Council with a recommendation of **approval**.

Approval of the project should be subject to input at the public hearing, and the recommended conditions beginning **below** for the land use requests, and on **page 25** for the CSM.

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

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

1. That in order for the development to meet Conditional Use Standard 9 in Section 28.183(6) of the Zoning Code, the Plan Commission finds, based on the recommendations and comments of the Urban Design Commission on November 1, 2023, that the following modifications and additional information are necessary as specified under condition 2, below. Prior to final sign-off and the issuance of building permits, a complete plan set with the following modifications and supplemental information shall be presented to the Urban Design Commission for their final review. The Urban Design Commission shall confirm that the modifications satisfy the intent of their initial recommendation and meet the applicable approval standards of Section 28.183(6)(9) and 28.076. The Urban Design Commission final review shall be limited to these specified items and any modifications to the previously reviewed plans falling under Urban Design Commission's purview.

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

2. Before any permits, including demolition permits, are issued for this project, the plans shall receive final approval from the Urban Design Commission, addressing the following consideration:

   a) That a connection to the street be incorporated along the W Johnson Street frontage.

The following conditions have been submitted by reviewing agencies:

Land Use Request – Demolition Permit, Zoning Map Amendment and Conditional Uses

Engineering Division (Main Office) (Contact Timothy Troester, (608) 267-1995)

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

4. Applicant shall provide projected wastewater flow calculations for the proposed development. Offsite sanitary sewer improvements may be required by the developer through a developer agreement as a condition for plan approval. Applicant shall provide project wastewater flow calculation to Mark Moder at mmoder@cityofmadison.com.

5. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)

6. Construct sidewalk, terrace, curb and gutter and pavement along Broom/Johnson/Gorham to a plan as approved by City Engineer

7. 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)

8. Provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system. (POLICY)

9. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at http://www.cityofmadison.com/engineering/permits.cfm. (MGO CH 35.02(14))

10. 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.

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

12. 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.

13. 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)

14. Revise plan to show the location of all rain gutter down spout discharge locations. Downspouts shall be directed to drain to public Right of Way (ROW). (POLICY)

15. 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.

16. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at https://dnr.wi.gov/topic/stormwater/publications.html

    This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit. (POLICY)

    This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.

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

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

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

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

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

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

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

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

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

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

19. Grant a Public Sidewalk and Bike Path Easement(s) to the City on the face of this Certified Survey Map to be approved by Engineering and Traffic Engineering

20. Any portion(s) of a public easement that is intended to be released shall be released by separate document prepared by City Office of Real Estate Services. Contact Jule Smith of Engineering Mapping (jsmith4@cityofmadison.com, 608-264-9276) to coordinate the Real Estate project, and associated information and fees required. If any release is required prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the plat. A release for the existing Public Easement for a Fire Hydrant appears to be required for proposed improvements. Assuming approval from the other appropriate agencies, Fire, Engineering and Water Department. Provide the fee, exhibit and legal description for the release of the easement.

21. Work with City Real Estate on the purchase of 405 W Gorham Street - ORES 12863.

22. The floor plans submitted do not show the updated layouts per the revised letter of intent. The original LOI indicates 453 units. The revised LOI increased it to 465 units.

23. 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.

24. Owner/Developer/Contractor are responsible for any rights that may be present for providing both communication and electrical utilities across the proposed development's parcel onto the adjacent 409 Gorham street parcel. There is an existing Utility Vault that is proposed to be removed and replaced. The proposed vault appears to serve both the developments parcel and the adjacent parcel. Owner/Developer/Contractor shall coordinate any required work to maintain existing connections and any required or necessary agreements/easements/rights to move and reestablish new connections with the adjacent parcel.

25. Multiple on-site easements will conflict with the proposed building. these will need to be released and recorded prior to permits for construction.

    Underground electric easement Doc 2238592.

    7 Joint Driveway Doc 398414 & 444810

    Ingress Egress Doc 2195181

    3' Wide Ingress Egress Doc 2195181

    8' Wide Easement Doc 481801 and 2195179

    24' Wide Easement Doc 2195180.

26. Update all sheets to show the official full street names. W Gorham Street, N Broom Street & W Johnson Street.

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

28. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. Also, include a unit matrix for apartment building that shows the number of units per 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 stamped Addressing Plan shall be included in said Site Plan Verification application materials or a revised plan shall provided for additional review and approval by Engineering.

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

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

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

29. Parking deck is insufficiently labeled/dimensioned for a proper review. If the parking does not meet MGO 10.08 the applicant can expect to be required to make major alteration which may or may not impact structural elements of this site.

30. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along W. Gorham Street.

31. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along W. Johnson Street.

32. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along N. Broom Street.

33. Due to the increased intensity of pedestrian activity at N. Broom Street and W. Gorham Street resulting from the increased density of this development, City Traffic Engineering intends to study the feasibility of making alterations to the existing left turn lane from N. Broom Street onto W. Gorham Street. Pending the results of the study, the applicant shall work with Traffic Engineering and Engineering Divisions on improving the existing pedestrian crossing of W. Gorham Street adjacent their proposed project. Improvements may include but are not limited to: signing and marking improvements, lighting improvements, constructing a raised crossing, reducing the width of the crossing and/or removal of the left turn lane from N. Broom Street to W. Gorham Street.

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

35. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.

36. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.

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

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

39. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.

40. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). 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 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.

41. All parking ramps as the approach the public Right-of-Way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the Right-of-Way. If applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.

42. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds three stories prior to sign-off to be reviewed and approved by Andrew Oliver, (267-1979, aoliver@cityofmadison.com) Traffic Engineering Shop, 4151 Nakoosa Trail. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.

43. The driveway slope to the underground parking is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.

44. The applicant shall provide a clearly defined 5' 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.

45. "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.

46. 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.

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

48. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.

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

50. Note: This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, protected walkways will be constructed and maintained as soon as possible and little to no access to the Public Right-of-Way on W. Johnson Street, W. Gorham Street, and N. Broom Street will be granted for construction purposes. Provide a detailed construction plan to Traffic Engineering for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff.

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

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

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

52. The calculations and comments below are based on the unit count and bedroom mix described in the letter of intent (465 units). However, the submitted plans show 453 units. Clarify on final plans the unit mix and submit revised floor plans.

53. Label the EV ready stalls, or clarify on the plans that all stalls are EV ready.

54. Provide the minimum required number of bicycle parking spaces distributed as both Short Term and Long Term bicycle parking for the residential and commercial uses, as required per Sections 28.141(4) and 28.141(11). A minimum of 702 resident bicycle parking spaces are required plus 47 guest stalls. A minimum of 90% of the resident stalls shall be designed as long-term parking, and the guest stalls shall be short-term parking. Up to twenty-five percent (25%) of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking. A minimum of 2 short-term bicycle stalls shall be required for the commercial uses. Identify and dimension the bicycle stalls, including the access aisles, on the final plans. Provide a detail of the bicycle rack design.

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

56. Section 28.185(9)(b) requires that every applicant for a demolition or removal approval that requires approval by the Plan Commission is required to get a Reuse and Recycling Plan approved by the City Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9)(b) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for two (2) years from the date of the Plan Commission approval.

Madison Fire Department (Contact Bill Sullivan, (608) 261-9658)

57. MFD has safety concerns with the location of the primary entrance along the left hand turning lane from Broom Street onto Gorham Street. We anticipate vehicles stopped for emergency services, deliveries and/or pick-ups will result a greater risk of traffic collisions.

58. The complexity of the proposed building will result in multiple fire protection features such as but not limited to FDCs, FAAP, & key boxes. Additional conversations regarding fire & life safety systems will be required prior to construction.

Parks Division (Contact Kathleen Kane, (608) 261-9671)

59. 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 Central Park-Infrastructure Impact Fee district. Please reference ID# 23036 when contacting Parks about this project.

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

60. 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.

61. 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 who's 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.

62. City Forestry will issue a street tree removal permit for two trees: 16" Elm for driveway apron & 19" Elm for construction conflicts along W Johnson Street. 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.

63. 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 (608) 266-4816. Penalties and remediation shall be required. Add as a note on the site, grading, utility, demolition, and street tree plan set.

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

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

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

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

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

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

70. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction (website: https://www.cityofmadison.com/business/pw/specs.cfm) - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan and street tree planting plan shall be submitted in PDF format to City Forestry for approval of planting locations within the right of way and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note on both the landscape and street tree plan sets: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.

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

71. Private wells may have served the parcels associated with this project prior to municipal water service connections. The existing properties will require an internal and external survey for potential unabandoned private wells prior to proceeding with demolition. Any remaining unused/unpermitted private wells existing on this parcel must be properly abandoned according to Wisconsin Administrative Code NR 812 and Madison General Ordinance 13.21 prior to the demolition of the property. Please contact water utility staff at (608) 266- 4654 to schedule an on-site private well survey prior to demolition, otherwise for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs. 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.

72. 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.

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

73. The City of Madison will designate a vehicle travel lane on the south side of West Johnson Street as a fixed guideway facility for transit operations with the Federal Transit Administration. This official designation, and the associated restrictions against general traffic usage, allows the City of Madison to receive annual Federal funding that goes towards the operation and maintenance of these lane facilities for transit operations.

74. Any operational impacts to the designated transit travel lane along West Johnson Street, that may be approved by City Traffic Engineering to facilitate construction of this project, may require that the applicant post a deposit or otherwise reimburse Metro Transit and the City of Madison for the potential loss of Federal funding - for any period of time where scheduled transit trips might be operationally impacted from having exclusive access to this fixed guideway facility.

75. The applicant shall include the location of these facilities on the final documents filed with their permit application, so that Metro Transit may review and effectively plan for City transit access adjacent this property.

76. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 366 Weekday & 165 Weekend (average). Please contact Metro Transit if additional analysis would be of interest.

Certified Survey Map

Engineering Division (Main Office) (Contact Timothy Troester, (608) 267-1995)

77. Drainage comes to this site from offsite locations. The site design shall accommodate existing off site drainage that enters this property.

78. 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)

79. Construct sidewalk, terrace, curb and gutter and pavement along Broom/Johnson/Gorham to a plan as approved by City Engineer

80. 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)

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

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

82. Contact Grant a Public Sidewalk (s) to the City on the face of this Certified Survey Map. Easement to provide a 8' terrace, a 6' sidewalk and 1' maintenance area final location to be approved by Engineering and Traffic Engineering. Contact Jule Smith with Engineering Mapping (jsmith4@cityofmadison.com, 608-264-9276) for the final easement language to be included on the face of the CSM.

83. Any portion(s) of a public easement that is intended to be released shall be released by separate document prepared by City Office of Real Estate Services. Contact Jule Smith of Engineering Mapping (jsmith4@cityofmadison.com, 608-264-9276) to coordinate the Real Estate project, and associated information and fees required. If any release is required prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the plat. A release for the existing Public Easement for a Fire Hydrant appears to be required for proposed improvements on the associated concurrent development plans. Assuming approval from the other appropriate agencies, Fire, Engineering and Water Department. Provide the fee, exhibit and legal description for the release of the easement.

84. Work with City Real Estate as needed on the purchase of 405 Gorham St - ORES 12863

85. Show the "Recorded as" information for the segment adjacent to C1 from Document 1243394 and show and the no access areas acquired in Document 1243394 and cite them acquired as such.

86. Various easement exist on site for cross access, ingress egress, and electric utility the structure in the proposed development conflicts with easements as currently shown on the CSM. Currently title is not even held to clear some of these up with the act merger. Release these easements provide the recorded documents and remove them from the CSM.

87. Fully detail the 8’ Wide Joint Driveway Easement Doc. No 592654 that appears to be remaining

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

89. In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The Surveyor shall identify any deviation from City Master Control with recorded and measured designations. Visit the Dane County Surveyor's Office (web address https://www.countyofdane.com/PLANDEV/records/surveyor.aspx) for current tie sheets and control data that has been provided by the City of Madison.

90. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM in pdf format must be submitted by email transmittal to Engineering Land Records Coordinator Jule Smith (jsmith4@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.

91. Per 236.20(2)(h) show the center line of all streets.

92. Show the "Recorded As" Bearings for Johnson Broom and Gorham Street per the Pritchette Plat... 45° in all directions. Also show the "Recorded As" Lot distances where applicable of 66' x 132' such as the common line between lot 5 and lot 6 should be shown as (132')

93. List the adjustment use for the coordinate system i.e. NAD 83(2011)

94. There are currently multiple owners and mortgagees for the property. make sure any and all are property listed at the time of final review that may pertain to the property

95. Further explain, revise or find further evidence against the 64.85' Right-of-Way width of W. Johnson Street. No found monuments have been shown in this area and this does not seem to be the case when comparing to CSM 13892

96. Submit to Jule Smith, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work, preferably closed polylines for lot lines, shall be void of gaps and overlaps and match the final recorded plat:

    a) Right-of-Way lines (public and private)

    b) Lot lines

    c) Lot numbers

    d) Lot/Plat dimensions

    e) Street names

    f) Easement lines (i.e. all shown on the plat including wetland & floodplain boundaries.)

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

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

97. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along N. Broom Street.

98. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along W. Gorham Street.

99. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along W. Johnson Street.

100. Due to the increased intensity of pedestrian activity at N. Broom Street and W. Gorham Street resulting from the increased density of this development, City Traffic Engineering intends to study the feasibility of making alterations to the existing left turn lane from N. Broom Street onto W. Gorham Street. Pending the results of the study, the applicant shall work with Traffic Engineering and Engineering Divisions on improving the existing pedestrian crossing of W. Gorham Street adjacent their proposed project. Improvements may include but are not limited to: signing and marking improvements, lighting improvements, constructing a raised crossing, reducing the width of the crossing and/or removal of the left turn lane from N. Broom Street to W. Gorham Street.

Parks Division (Contact Ann Freiwald, (608) 243-2848)

101. LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.

102. Park impact fees are due and payable prior to issuance of building permits.

Office of Real Estate Services (Contact Lance Vest, (608) 245-5794)

103. Prior to approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate(s) on the CSM shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report.

    When possible, the executed original hard stock recordable CSM shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.

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

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

106. All ownership consents and certifications for the subject lands shall conform to Wis. Stats. 236.21(2) and 236.29 by including the language …surveyed, divided, mapped and dedicated….

107. As of October 20, 2023, the 2022 real estate taxes are paid for the subject property.

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

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

108. As of October 20, 2023, there are no special assessments reported. All known special assessments are due and payable prior to CSM approval sign-off. If special assessments are levied against the property during the review period and prior to CSM approval sign-off, they shall be paid in full pursuant to Madison General Ordinance Section 16.23(5)(g)1.

109. 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 survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report (May 18, 2023) submitted with the CSM application and include all associated documents that have been recorded since the initial title report.

    A title commitment may be provided, but will be considered only as supplementary information to the title report update. Surveyor shall update the CSM with the most recent information reported in the title update. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.

The following agencies have reviewed this request and has recommended no conditions of approval:

Planning, Zoning, Assessor's Office, Fire, Forestry, Water Utility, Metro, Parking

URBAN DESIGN COMMISSION MEETING REPORT **November 1, 2023**

Agenda Item #:	**9**
Project Title:	304-318 N Broom St/408-430 W Johnson St/407 & 431 W Gorham St – New Student Housing Building in UMX Zoning
Legistar File ID #:	76205
Members Present:	Cliff Goodhart, Chair; Jessica Klehr, Shane Bernau, Rafeeq Asad, Marsha Rummel, Wendy Von Below, Christian Harper and Russell Knudson
Prepared By:	Jessica Vaughn, AICP, UDC Secretary

Summary

At its meeting of November 1, 2023, the Urban Design Commission made an advisory recommendation to the Plan Commission for **INITIAL APPROVAL** of a new student housing project located at 304-318 N Broom Street/408-430 W Johnson Street/407 & 431 W Gorham Street in UMX Zoning. Registered and speaking in support were Brian Munson, and Jeff Zeliesko. Registered in support and available to answer questions were Suzanne Vincent, Austin Pagnotta, and Doug Tichenor.

Zeliesko commented that he has been reflecting over the last two informational meetings, this project is a great example of government and the private sector working together to elevate a project from where it started to where it has evolved. He is very excited about where the project now, and feels that with staff and the Commission, they have made a really big and important project way better by working together. Thank you for that.

Zeliesko provided an overview of the Commission's comments, including those pertaining to color, green roofs, landscape around the front of the building, and refining the design of the masonry. They have continued to refine the entry court with entry points and will continue to do so. The bridge is something that activates and connects Buildings 3 and 4. On Building 1, there was discussion on making this a U shaped element, but the E shape is very important. The top of the building is really activated with landscape and uses. Building 1 was really squat before, and they updated it to add metal panels between each floor, which added a vertical element. A much lighter color has been used at the ground level to lighten up the base of the building. More color variation has been incorporated into the material palette across materials. Lots of landscape material has been added up against the building along W Johnson Street. They worked on the bridge quite a bit, it is much more elegant than what was shown previously. The buildings really do seem like they have been built at different times, like a collection of buildings.

The Commission had the following questions for staff and the development team:

- This is like the most improved thing that I have seen in a very long time. For where it was and where it is now, the way materials are starting to overlap, intersect, transition, I love the details. Very good improvements. Do you only have two very small MEP penthouses – is that all you need?
    - They are not small. They are 10,000 square feet, they are significant. As we continue with that, if there are any adjustments we would come back to you with those.
- I don't think the penthouse has to match the façade. Lighter would blend into the sky, but darker could work. Very good job of improving the design.
- Was there an intent to light those mass elements in some way?
    - No that was not a part of what we were focusing on.
- Can you describe why the second level is so important for the bridge?

    - There are amenities that can be accessed by the residents without having to go outside. We like the bridge idea, it's dynamic, the buildings are separated but still tied together.
- We've seen a clearer vision for the rooftops and I'm thinking about the people in Building 4 getting there. Wondering if a higher bridge would be a better benefit.
    - The rooftop is all within Buildings 2 and 3 intentionally. We were trying to build off of staff's recommendation to separate these into two masses as much as possible. This reinforces that expression for the upper floors as completely detached buildings.
- There are a lot of changes and some of them are quite attractive. With regard to the staff report looking at the residential units located on the auto court and whether they should be on Johnson Street at all, as opposed to somewhere else, Broom Street?
    - The grade transition across Johnson creates both opportunities and challenges. It becomes a full exposed lobby space on Building 4. As you go into Building 3 and move up towards Broom Street, it eventually comes down to the amenities at grade with Broom Street. We looked at how we both activate and transition across that. On the Broom Street corner where we're flush it's mostly a landscape treatment that comes down the hill. He Transition from Building 2 down to the western edge of Building 3 where we have a half floor, we have a combination of landscape treatment but also opportunities for public art panels. The maintenance room is where we start to transition from a partial exposed floor to a full floor exposure. Those are townhome units so you would enter from the second floor and come down into this living room level. We felt it was important to continue that activity down to the sidewalk.
- Could you show the rendering?
    - We had townhomes with residential along this whole stretch, there was discomfort with that. When we brought the residential down we didn't want two units with direct access from the street. There is activity because there are recessed terraces behind the face of the building. Good for activity without adding two small entrances that didn't seem to be enough.
- I think that one of the difficulties is that this development is broken into four buildings. 1, 2 and 4 do a really nice job of expressing themselves as buildings because they have entries or retail, or big amenity spaces. This expresses itself certainly as its own building, but it defies entry. You look at that and think that could be a separate building, but without the retail, you can't get in there anymore. This is the urban design problem of the whole project, it probably has a lot to do with the grade. You look at this and say "this can't be its own building, you can't even get in there." There's this screen on top of the maintenance room, and I think it's the one element that's giving me the biggest heartache and concern, this rendering. I'm also a bit confused about the metal panel over the brick and being the same color, but that's not really an urban design issue. That may have something to do with the staff report about blank walls, street orientation and entry.
- I'm having a hard time understanding the space between the south side of the existing building, the U-shape, what happens in there? It's hard to tell. I wish there were some sections through there, I'm curious what it feels like. Over on the east side coming around, is that the Equinox building? Curious about the safety in there, if it's dark at night what it feels like.
    - There are a bunch of things going on back here. Coming off the plaza on our side we have a sidewalk and exiting path for the building. This area through here is lawn, but it tips down. There is a retaining wall that spans that grade, this area of the Equinox is up a floor. They have some sidewalks through here but not a lot of activated space on that side of the building. We do have some lighting along there for the exiting path, but there's not a lot of back and forth. This side is the driveway entry to their underground parking. At street level we're roughly at grade, this sidewalk will be higher in sections than the driveway down to the Equinox. Then as you come to the south it begins to transition back down to grade. This is designed here for people to go through, all the combinations of lighting in there to make that inviting. This zone here is not an activated zone, it's a transition in grade adjacent to some of the utility rooms within our building, and the retaining wall on the Equinox side.
- The exiting path on the east side, is that high building on one side and retaining wall on the other?

    - No, it might be a little bit higher than sidewalk grade is for the Equinox. It's not a hidden zone along that east side.
  - Can you clarify again where you said the blank façade is on the upper floors?
    - This is the wall. The higher units have bathrooms in those locations. That's where we end up not having windows there, that's where plumbing walls are located. Its better that there aren't windows there in relation to the Equinox building.
  - On that elevation, there are windows on the first five floors or so?
    - Right.
  - Those aren't looking directly into the Equinox?
    - There's glass that does wrap around on those lower floors. Those are bedroom windows from 9 down. There's a living room window here, totally different planning from the floors above.
  - I'm confused why on the upper floors it would be a concern that you're looking into the Equinox, but it's not a concern on the lower floors where you do have windows.
    - We have almost a single-sided hallway. We wanted to move as much of the glazing out to the exterior viewpoint, which by default, we've got this narrow expression here above floor 9. We wanted to keep windows out which means the bathrooms are clustered in that corner.
- One questions for staff; on Johnson Street, the narrow white building, it has a very cool canopy, but it looks like it is coming out over the sidewalk. Is that allowed?
- (Secretary) Yes, a Privilege in Streets Permit would be required, depending on the encroachment.
    - We are anticipating obtaining a Privilege in Streets Permit.
- Are you planning on a restaurant amenity for that second floor of Building 2 or 1? I am asking about kitchen exhaust. Thinking about the conditions of that alley.
    - Yes, we are planning for it, and it is a good use for that space, but we cannot guarantee that. That is what we envision there and would set aside the provisions for putting in ducting and proper exhaust for a restaurant space.
- I would recommend you try to avoid putting kitchen exhaust into that area [the promenade] and take it out to the street where air and wind can take it away. I am also thinking about that generator. No one wants that running. It needs to be tested, it will add emissions, noise, etc. into that tight area.
    - Similar to what we have done at the Oliv, James and The HUB, the design of that front façade retail is going to be set-up to address venting points to give us flexibility because we don't know. As far as the generator there is a retaining wall right here that will help shelter some of that noise, but the thought is to vent towards the side yards and not the promenade.
- I want to point out some things I like: the art panels going up Johnson, that is really exciting and a cool splash of color, and the landscape, that will be a nice addition to that foundation. I like the healthy sized green roofs. Architecturally, I like the material palettes are how they are limited – it strengthens the identity of each building and mass without endlessly changing between materials like we often see. It really reinforces the mass which is great. Bike parking, I trust that you have all that you need, is there any at grade bike parking along Johnson?
    - We tried to scatter it throughout the site, clustered it around entrances. We have bike rooms at grade at Building 4 accessible from the exterior. We have bike parking components in the middle, left of the entry of Building 3. We have bike parking clustered in the plaza space. We do not have bike parking on the Johnson frontage but do in the auto court, which is visible from the street, outside the building.
- The corner of Gorham and Broom – that plaza is nice. The tapestry of paving and protecting edge with low raised planters that you can see over is very successful.
- Can you elaborate on the planting scheme for the green roofs? Profiles, intensive, extensive?
    - With regard to the Broom Street plaza I will just note that we are working with staff, entertaining the idea that the slip lane goes away, but hopefully one day that plaza could be expanded, but that is outside of our scope.
    - The lower roof deck on level 9, this is our most intensive green roof treatment; a 12-inch system with lots of perennials, color, texture, plants that would provide a benefit for pollinators.
- What is defining those edges of the pattern – is that planting to planting or is it a pavement band?

    - There will be a maintenance edge along the perimeter but the interior line work is the division of planting areas. We are not thinking there will be anything exposed there.
    - On this level, on top of Building 2, there is more of a traditional green roof 6-inch profile with sedums, within that there will be some strategic areas with taller plantings mixed in, but generally it is more of what you think of when you think green roof. On the top of Building 3, there is a range of depths, some we can do small trees and large shrubs, definitely perennials too. Kind of a little bit of everything.
- Going back down to grade, am I right that most of the street terrace is lawn where all the street trees are?
    - Yes.
- It looks like you are protecting a lot of trees? Curious what if anything is changing?
    - These are all the existing that are going to remain. Two on this frontage and one here. We are keeping the rhythm but filling in the gaps where driveways are being removed. To clarify, there are two removals on W Johnson, there is a root condition and the other will be removed due to the new driveway.

The Commission discussed the following:

- The staff memo talks about the height, materials, long views; I am ok with all of those things. I like the simplified forms, and the attention to details. I am not uncomfortable as it relates to those items.
- I agree, I know staff asked us to look at height, mass, and scale and note the tallest capital view height limit, but I do not have issues with those. In general the refinements that were made to the materials and detailing are much improved; it is looking to be quite handsome. The concern about the massive urban design problem – the building that has no entry, also remains my only concern. I do not have issues with the detailing of the bridge connection, the design detailing along the promenade and building. It is a bit odd and problematic and I am not sure how it gets solved. In some sense that screening makes it worse, not only is it not an entry but it is actually blocked. That is for me problematic and it is also enhanced by the linearity of the landscape that runs straight through. There is not an entry, there was never going to be an entry, and you are cut off from the street. It is the one thing that I am really stuck on. Most buildings have an entry and so it is odd; I understand that they are doing form follows function, but this is truly an urban design problem and the biggest hang up to getting an approval.
- This is half the block, Building 3. When we are all talking about hitting it out of the park 99 percent of the time, I don't necessarily feel like we can't criticize a focused area and ask for improvement there. This is on paper and there are certainly other ways to look at it. I'm not suggesting we completely redesign the building, but I especially, what you mentioned about this wall here. I could see a set of cascading stairs coming down, this is a little courtyard I think and it probably doesn't even need to be accessible because there are other accessible paths to that area. It is not up to us to design it, but if this is to give us the illusion of a separate building, it is a little fortress like.
- The staff report did talk about not having any entrances along Broom Street, but Broom Street is so open and glassy it doesn't given the illusion that you cannot get in there. And Building 4 is really successful because you have these two entrances here on the north and south sides. You can see the difficulty in the slope there and it makes it really tough because you have parking on side and apartments on the other. It's not an easy problem to fix, but it is an urban design problem.
- If this was one building and it looked like one building, this would not be a concern, right? I'm trying to think out loud and play this through. If there were two entries on Johnson Street, this wouldn't be a problem?
- We don't know. They are trying to make them look like separate buildings, so therefore this looks like a separate building with no entrance.
- I understand that. I personally have no issue with it. Would it be better with an entry, yes, but to me it's not a deal breaker. They could turn the maintenance room and put an entry in there, they could come up with a solution. If we require an entry, they will make an entry.
- I don't know that we dictate entry, but here's an outdoor open space. If there was a connection to the sidewalk, it doesn't necessarily have to be an entrance to the building.
- I agree, to me it is the last little problem, that street connection. Otherwise I have no other comments or critiques. They will figure it out.

- Are we speaking mainly to the access or lack thereof of the two five-bedroom units, or just the building in general? The functionality of having a Johnson Street entry to those, they're the only two residences on that floor, the rest is retail and amenity space.
- There's no entrance along here but certainly street activation. It's not something that is a prescriptive solution, it's a concern that staff raised and since it's half a block of Johnson Street, a main thoroughfare, that's something to be addressed. And the continuous landscaping makes it more of a barrier.
- It's a straight arrow that is preventing the connection from the building to the sidewalk. We don't need to design it but there needs to be at some point that urban connection.
- I'm open to any kind of elegant solution to your concerns, but personally it's not rubbing me the wrong way.
- I think the townhouses there are awkward. I understand the concern from that perspective. I wonder if there is an easy solution, a way to empower pedestrians to go into the vehicle space/promenade, and a stronger way to connect all the way through for a pedestrian that also activates that lobby. I wonder if there is a way to activate internally so people know that's how you get into this building, you go in and under, it's well lit and there's a purpose towards that elevator. Any similar thoughts?
- I'm trying to grapple with this façade because it is so monumental. It reminds me of downtown Chicago retail with these enormous three-story glass walls. But that's not what it is, it doesn't feel like it's accomplishing…I want to make sure we're all keeping in mind the height, the bonus stories.
- (Secretary) The model we're using to evaluate height is afforded to them under the UMX zoning district. We won't be looking at the PD standards, they are in the process of negotiating a voluntary land use agreement for the bonus stories. That is something the Plan Commission and Common Council will be evaluating. The UDC is looking at the building in terms of the Downtown Design Guidelines.
- You all taught me as the citizen member to look at a building as four-sided. This is a six-sided building, this side doesn't work as part of a four-sided building to me. It looks pretty but doesn't feel pedestrian friendly, it's too monumental.
- Are we dying on the hill that this needs to have an entrance?
- I don't want to die on a hill, and I don't know that it needs an entry. I think it needs a connection to the street somehow.

A motion was made by Asad, seconded by Von Below, to make a recommendation for Initial Approval with the condition that they incorporate a connection to the street along the W Johnson Street elevation.

Discussion on the motion:

- I do agree that it can be a little bit better. Seeing how much it improved from the last time, I know when it comes back it will be ready for Final Approval. The other side on Broom Street is not an entry, but it's classy, it's active, there are things you can easily do. Look at it one more time, there are so many options to solve that problem.

Action

On a motion by Asad, seconded by Von Below, the Urban Design Commission made an advisory recommendation to the Plan Commission for **INITIAL APPROVAL**. The motion passed with the following condition:

- That a connection to the street be incorporated along the W Johnson Street frontage.

The motion was passed on a unanimous vote of (7-0).

From: Brenda Gonzalez
To: All Alders
Cc: Stouder, Heather; Wachter, Matthew
Subject: UW off-campus housing
Date: Friday, October 13, 2023 9:28:45 AM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

To: City of Madison Common Council
From: Brenda González, Director of Community Relations, UW Madison
Via email

Dear Common Council Members,

The University of Wisconsin-Madison's Office of Student Financial Aid and University Housing continue to collaborate with city staff to develop strategies that facilitate affordable housing solutions for students from low- and moderate-income backgrounds.

A key element of our off-campus housing approach involves establishing an open dialog with private developers who are dedicated to allocating a portion of their properties to long-term affordable units. To ensure the success of this innovative partnership, UW-Madison has diligently built systems designed to identify eligible students and ensure their confidential access to more affordable rental options.

As the scope of partnership opportunities continues to grow, we strongly advocate for implementing a standardized framework for use by the city, UW-Madison and developers who are interested in providing below market-rate units to low- and moderate-income students. This approach would replace the current practice of navigating a complex, case-by-case or site-by-site scenario, wherein we endeavor to match students with rooms across various buildings, each offering different levels of affordability.

For this reason, in the context of the Core Spaces proposal located on the 400 block of West Johnson and West Gorham Streets, we strongly endorse the adoption of a system like the one currently being implemented in the Oliv project, which is currently under construction. Given the additional stories afforded to Core Spaces, this approach would involve Core's enduring commitment to offering 10% of the units at rents set 40% below the prevailing market rates. A 40% discount effectively aligns rental costs with the off-campus housing budgets of financial aid recipients. This affords them access to well-located, high-quality off-campus housing that is financially feasible within the framework of a comprehensive financial aid package, just as it is for Bucky's Pell Pathway recipients.

Although we would certainly embrace a larger share of discounted units for financially challenged students, establishing the discount proportion at 10% allows for a substantial 40% reduction. We understand from conversations with developers that in order for a project to be financially viable, a larger share of discounted units would yield a less impactful, more modest discount for each unit, which would be less effective in addressing the affordability concerns of individual students.

We thank the city for their dedication to implementing innovative methods to secure lasting affordability in high-quality student housing. While UW-Madison remains open to revisiting this framework for forthcoming projects, our current focus lies in establishing consistency,

which is a priority for the development of robust institutional systems that strengthen this partnership.

If you have questions, please feel free to contact me at brenda.gonzalez@wisc.edu.

Best,

Brenda

Brenda González
Director of Community Relations
University of Wisconsin - Madison
brenda.gonzalez@wisc.edu

UW South Madison Partnership - Info
2238 South Park St. Madison, WI 53713

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80649

File ID:	80649	**File Type:**	Resolution	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	FINANCE COMMITTEE
				File Created Date :	11/01/2023
File Name:	State Street Campus Garage Reconstruction Bonds			**Final Action:**	

Title: Authorizing Not to Exceed $28,605,000 Bonds by City of Madison for Reconstruction of the State Street Campus Garage

Notes: StateStCampusGarageBonds

Sponsors:	Satya V. Rhodes-Conway	**Effective Date:**	
Attachments:	Initial Resolution - City of Madison	**Enactment Number:**	
Author:	Matthew Robles	**Hearing Date:**	
Entered by:	mglaeser@cityofmadison.com	**Published Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	11/01/2023	Referred for Introduction				
	Action Text:	This Resolution was Referred for Introduction					
	Notes:	Finance Committee (11/13/23), Common Council (11/21/23)					
1	COMMON COUNCIL	11/07/2023	Refer	FINANCE COMMITTEE		11/13/2023	Pass
	Action Text:	A motion was made by Currie, seconded by Figueroa Cole, to Refer to the FINANCE COMMITTEE. The motion passed by voice vote/other.					
1	FINANCE COMMITTEE	11/13/2023	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text:	A motion was made by Verveer, seconded by Madison, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.					

Text of Legislative File 80649

Fiscal Note

This is an initial resolution to issue of up to $28.6 million of 20 year tax-exempt bonds to finance the State Street Campus Garage reconstruction project. The total estimated cost of this project is $52 million based on construction bids and associated design, contingency, and other project costs. Estimated annual debt service is expected to average $2.1 million ($2.8 million in year 1) over the 20 year life of the bonds. Total interest costs are estimated to be $14 million.

The general obligation bonds referenced in this initial resolution are for purposes that do not require a referendum under state law. Bonds issued for purposes that do not require a referendum must include an initial resolution. Once the initial resolution is adopted, electors have 30 days to petition for a referendum. A petition must include the names of electors numbering at least 10 percent of the votes cast for governor in the city in the last general election

Funding for the project includes the following:

TID 50 supported general obligation borrowing -- $19.8 million ($5 million was borrowed in September 2023)
Parking Utility supported general obligation borrowing -- $12.0 million
General Fund supported general obligation borrowing -- $1.7 million (Intercity bus terminal project)
Air Rights Payment/Parking Utility reserves -- $18.5 million (reflects provisions in approved development agreement)

Funding of $49.7 million for this project was initially approved in the 2023 adopted capital budget. The 2024 executive capital budget added $12.5 million of TID 50 supported general obligation borrowing based on final construction cost estimates (to a total of $62.2 million). The Common Council will consider an amendment to the 2024 executive capital budget that will reduce the project budget by $10.2 million to reflect the construction bid.

These bonds will be issued through a companion debt parameters resolution (Legistar 80650).

Title
Authorizing Not to Exceed $28,605,000 Bonds by City of Madison for Reconstruction of the State Street Campus Garage
Body
Please see **Initial Resolution** document in Attachments

INITIAL RESOLUTION AUTHORIZING NOT TO EXCEED $28,605,000 BONDS FOR RECONSTRUCTION OF THE STATE STREET CAMPUS GARAGE

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MADISON, WISCONSIN, that there shall be issued the general obligation bonds of the City in a principal amount not to exceed $28,605,000 for the following purposes: reconstruction of State Street parking facility. For the purposes of paying principal of and interest on the bonds, there is hereby levied on all taxable property in the City a direct annual irrepealable tax sufficient for that purpose.

BE IT FURTHER RESOLVED that the City Clerk is authorized to, within fifteen (15) days, publish a Notice to Electors pursuant to Sections 67.05(1) and 67.05(7)(b), as a class 1 notice under ch. 985, Wisconsin Statutes.

Adopted this __th day of November, 2023, by roll call vote as follows:

Ayes:

Nays:

Approved:

_____
Mayor

(SEAL)

Attest:

_____
City Clerk

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80650

File ID:	80650	**File Type:**	Resolution	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	FINANCE COMMITTEE
				File Created Date :	11/01/2023
File Name:	General Obligation Corporate Purpose Bonds			**Final Action:**	

Title: Authorizing the Issuance and Establishing the Parameters for the Sale of Not to Exceed $28,605,000 General Obligation Corporate Purpose Bonds of the City of Madison, Wisconsin, and Directing the Final Approval of the Terms Thereof.

Notes: GenObligationCorporateBonds2023

Sponsors:	Satya V. Rhodes-Conway	**Effective Date:**	
Attachments:	Parameters - Madison Bond Resolution Series 2024	**Enactment Number:**	
Author:	Matthew Robles	**Hearing Date:**	
Entered by:	mglaeser@cityofmadison.com	**Published Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	11/01/2023	Referred for Introduction				
	Action Text:	This Resolution was Referred for Introduction					
	Notes:	Finance Committee (11/13/23), Common Council (11/21/23)					
1	COMMON COUNCIL	11/07/2023	Refer	FINANCE COMMITTEE	11/13/2023		Pass
	Action Text:	A motion was made by Currie, seconded by Figueroa Cole, to Refer to the FINANCE COMMITTEE. The motion passed by voice vote/other.					
1	FINANCE COMMITTEE	11/13/2023	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text:	A motion was made by Verveer, seconded by Madison, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.					

Text of Legislative File 80650

Fiscal Note

This resolution authorizes the issuance of up to $28.6 million of 20 year tax-exempt bonds to finance the State Street Campus Garage reconstruction project. The total estimated cost of this project is $52 million based on construction bids and associated design, contingency, and other project costs. Estimated annual debt service is expected to average $2.1 million ($2.8 million in year 1) over the 20 year life of the bonds. Total interest costs are estimated to be $14

million.

Funding for the project includes the following:

TID 50 supported general obligation borrowing -- $19.8 million ($5 million was borrowed in September 2023)
Parking Utility supported general obligation borrowing -- $12.0 million
General Fund supported general obligation borrowing -- $1.7 million (Intercity bus terminal project)
Air Rights Payment/Parking Utility reserves -- $18.5 million (reflects provisions in approved development agreement)

Funding of $49.7 million for this project was initially approved in the 2023 adopted capital budget. The 2024 executive capital budget added $12.5 million of TID 50 supported general obligation borrowing based on final construction cost estimates (to a total of $62.2 million). The Common Council will consider an amendment to the 2024 executive capital budget that will reduce the project budget by $10.2 million to reflect the construction bid.

The debt will be issued based on market conditions, with the approval of the Finance Director that the parameters included in the resolution are met. The parameters include a maximum interest rate of 5% and cost of issuance of no more than $105,000. The debt must be issued before October 1, 2024.

Title
Authorizing the Issuance and Establishing the Parameters for the Sale of Not to Exceed $28,605,000 General Obligation Corporate Purpose Bonds of the City of Madison, Wisconsin, and Directing the Final Approval of the Terms Thereof.
Body
Please see **Parameters** document in Attachments

RESOLUTION AUTHORIZING THE ISSUANCE AND ESTABLISHING PARAMETERS FOR THE SALE OF NOT TO EXCEED $28,605,000 GENERAL OBLIGATION CORPORATE PURPOSE BONDS OF THE CITY OF MADISON, WISCONSIN, AND DIRECTING THE FINAL APPROVAL OF THE TERMS THEREOF

RECITALS:

WHEREAS, the Common Council of the City of Madison, Wisconsin (the "City") has heretofore adopted an initial resolution (the "Initial Resolution") authorizing the issuance of general obligation bonds in the not to exceed amount of $28,605,000 for the following public purpose: reconstruction of a parking facility located at 415 North Lake Street in the City of Madison, Wisconsin known or to be known as State Street Parking Facility (the "Project").

WHEREAS, within fifteen 15 days following the adoption of the Initial Resolution, the City Clerk will cause a notice to electors to be published in the official newspaper of the City, stating the purpose and maximum principal amount of the bond issues authorized by the Initial Resolutions and describing the opportunity and procedure for submitting a petition requesting a referendum on the bond issue authorized by the Initial Resolution;

WHEREAS, the time to file such petition shall expire on December 21, 2023;

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore service a "public purpose" as the term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, the City is authorized by the provisions of Section 67.04, Wisconsin Statutes, to borrow money and issue general obligation bonds for such public purpose; and

WHEREAS, it is the finding of the Common Council that it is in the best interest of the City to direct its municipal advisor, Baker Tilly Municipal Advisors, LLC, to take the steps necessary for the City to offer and sell the Bonds at public sale and to obtain bids for the purchase of the Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MADISON, WISCONSIN, as follows:

Section 1. Authority and Purpose. This resolution is adopted pursuant to Section 67.04 of the Wisconsin Statutes to authorize the issuance of bonds for the purpose of paying costs of the Project and establishes the parameters for the sale of General Obligation Corporate Purpose Bonds, Series 2024-A, in an aggregate principal amount not to exceed $28,605,000 (the "Bonds"). The Finance Director will determine the final terms of the Bonds within the parameters set forth herein pursuant to the authority and direction provided by Section 2.05 hereof.

A portion of the proceeds from the Bonds will also be used for costs of issuance related to the Bonds and may be used for capitalized interest.

The Project is hereby authorized to be made or undertaken by the City of Madison, Wisconsin (the "City"). For the purpose of paying principal of and interest on the Bonds, there is hereby levied on all the taxable property in the City a direct, annual, irrepealable tax sufficient for that purpose.

Section 2. Authorization, Terms of Bonds, Sale and Direction to Determine Final Terms.

Section 2.01. To meet part of the estimated cost of the improvements or purposes described in Section 1 of this resolution, there is hereby appropriated the aggregate sum of not to exceed $28,605,000. For the purpose of financing said appropriation, the Bonds shall be issued and sold in an aggregate principal amount of not to exceed $28,605,000.

Section 2.02. *Original Issue Date and Designation*. The Bonds shall be dated their date of issuance and be issued and designated as "General Obligation Corporate Purpose Bonds, Series 2024-A," and shall be issuable in the denominations of $5,000 or any integral multiple thereof. The Bonds shall be numbered consecutively from 1 upwards in order of their issuance and may bear such other identifying numbers or letters as may be useful to facilitate the registration, transfer and exchange thereof. Each Bond shall be dated as of the interest payment date next preceding the date of issuance thereof, except that (a) if such date of issuance shall be prior to the first interest payment date, said Bond shall be dated as of the date of delivery, (b) if such date of issuance shall be an interest payment date, said Bond shall be dated as of such interest payment date, or (c) if interest due on said Bond shall not have been paid in full, then notwithstanding any of the foregoing provisions, said Bond shall be dated as of the date to which interest has been paid in full on said Bond.

Section 2.03. *General Terms of the Bonds, Payment Dates and Establishment of Parameters.*

(a) The Bonds shall bear interest at the rate or rates determined by the Finance Director pursuant to Section 2.05 below, provided that the true interest cost of the Bonds shall not exceed 5.00%. Interest on the Bonds shall be payable semi-annually on April 1 and October 1 of each year, commencing on October 1, 2024. Interest shall be computed upon the basis of a 360-day year or twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board.

The principal of and premium, if any, on the Bonds shall be payable in lawful money of the United States of America at the principal corporate trust office of the bank, trust company or national banking association designated in Section 7 of this resolution. Interest on the Bonds shall be payable in lawful money of the United States of America on each interest payment date to the registered owners of record thereof appearing on the registration books maintained by the City for such purpose at the principal corporate trust office of the bond registrar, as of the close of business on the fifteenth day of the calendar month next preceding the applicable interest payment date. Interest on the Bonds shall be paid by check or draft mailed to such registered owners at their addresses appearing on the registration books.

(b) The Bonds shall be issued in the aggregate principal amounts and mature on October 1 in the years and in the amounts, respectively, as determined by the Finance Director pursuant to Section 2.05 below, provided that the Bonds shall mature no later than October 1, 2043 and provided further that, subject to Section 2.01, the aggregate principal amount of the Bonds shall not exceed $28,605,000.

(c) The costs of issuance for the Bonds (not including any underwriter's spread) will be paid for with a portion of the Bond proceeds, provided the sale of the Bonds only occurs if these aggregate costs of issuance for the Bonds paid with proceeds of the Bonds does not exceed $105,000.

(d) The Bonds may be subject to redemption prior to maturity and mandatory redemption as further described in the Approving Certificate (as defined herein).

In the event of the redemption, of less than all the Bonds of like maturity, the aggregate principal amount thereof to be redeemed shall be $5,000 or an integral multiple thereof, and the bond registrar shall assign each Bond of such maturity a distinctive number for each $5,000 principal amount of such Bond and shall select by lot from the numbers so assigned as many numbers as, at $5,000 for each number, shall equal the principal amount of such Bonds to be redeemed. The Bonds to be redeemed shall be the Bonds to which were assigned the numbers so selected, provided that only so much of the principal amount of each Bond shall be redeemed as shall equal $5,000 for each number assigned to it and so selected.

Notice of the redemption of Bonds shall be mailed by the bond registrar not less than 30 days nor more than 60 days prior to the date fixed for such redemption to the registered owners of Bonds to be redeemed at their last addresses appearing on said registration books. The Bonds or portions thereof specified in said notice shall become due and payable at the applicable redemption price on the redemption date therein designated, and, if, on the redemption date, moneys for payment of the redemption price of all the Bonds or portions thereof to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, then from and after the redemption date interest on such Bonds or portions thereof shall cease to accrue and shall become payable. If there shall be drawn for redemption less than all of a Bond, the City shall execute and the bond registrar shall authenticate and deliver, upon the surrender of such Bond, without charge to the owner thereof, for the unredeemed balance of the Bond so surrendered, Bonds of like maturity and of the denomination of $5,000 or any integral multiple thereof.

(e) The Bonds may be initially issued in temporary form and shall be exchanged for definitive printed Bonds as soon as possible. The temporary Bonds shall be executed as provided herein and shall be in substantially the form set forth in Section 5 hereof.

Section 2.04. *Offering and Sale of the Bonds.* The City has retained Baker Tilly Municipal Advisors, LLC ("Baker Tilly"), as its independent municipal advisor. The Bonds shall be offered by way of competitive public sale(s) on the date(s) and time(s) approved by the

Finance Director in consultation with Baker Tilly. In connection with said sale, the officers and employees of the City are hereby authorized to cooperate with Baker Tilly and participate in the preparation of an official statement for the Bonds. The Finance Director is authorized to approve the Preliminary Official Statement with respect to the Bonds and deem the Preliminary Official Statement as "final" as of its dates for purposes of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). Baker Tilly is authorized and directed to receive bids for the purchase of the Bonds on behalf of the City.

Section 2.05. *Direction to Determine Final Terms of Bonds Pursuant to this Resolution.* Subject to the satisfaction of the requirements, conditions and parameters set forth in this Resolution, the Mayor and City Clerk are hereby authorized, empowered and directed to execute, issue and sell the Bonds to the to be determined purchaser thereof, for, on behalf of and in the name of the City. The issuance and sale of the Bonds to the purchasers is conditioned upon the determination by the Finance Director of the date or dates of the Bonds, definitive principal amount, maturity years, maturity principal amounts, underwriter's discount, interest rates, optional and mandatory redemption provisions, if any, the purchase price for the Bonds, the costs of issuance to be paid for with proceeds of the Bonds and any other necessary provisions that are not in conflict with this resolution. The determination of the Finance Director pursuant to the parameters set forth in this resolution shall be evidenced by a certificate signed by said officers setting forth those definitive terms in substantially the form attached hereto as Exhibit A (the "Approving Certificate"), with such further additions or changes as the Finance Director may determine shall be necessary.

The officers, attorneys, and other agents or employees of the City are hereby authorized to do all acts required of them to carry out the purposes of this resolution as shall be necessary, advisable, desirable, or appropriate in connection with this resolution and the issuance, sale, and delivery of the Bonds, including, without limitation and whenever applicable, the execution and delivery thereof and of all other related documents, instruments, certificates, and opinions.

Section 3. Execution and Authentication of Bonds. The Bonds shall be executed in the name of the City by the manual or facsimile signatures of its Mayor and City Clerk and the corporate seal of the City, or a facsimile thereof, shall be thereunto affixed, impressed or otherwise reproduced thereon.

In case any officer whose signature, or a facsimile of whose signature, shall appear on any Bonds shall cease to hold such office before the issuance of the Bonds, such Bonds shall nevertheless be valid and sufficient for all purposes, the same as if the person whose signature, or a facsimile thereof, appears on such Bonds had not ceased to hold such office. Any Bond may be signed, sealed or attested on behalf of the City by any person who, on the date of such act, shall hold the proper office, notwithstanding that at the date of such Bond such person may not have held such office. No recourse shall be had for the payment of any Bonds against any officer who executes the Bonds.

The Bonds shall bear thereon a certificate of authentication executed manually by the bond registrar. No Bond shall be entitled to any right or benefit under this resolution or shall be

valid or obligatory for any purpose until such certificate of authentication shall have been duly executed by the bond registrar.

Section 4. General Obligations. The full faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds. The Bonds shall be direct and general obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable property in the City for the payment of the Bonds and the interest thereon, without limitation as to rate or amount.

Section 5. Form of Bonds. The Bonds shall be issued as fully registered Bonds and shall be in substantially the following form, respectively, with such changes as may be approved by the Finance Director, the blanks to be appropriately completed when the Bonds are printed:

(Form of Bonds)

UNITED STATES OF AMERICA

STATE OF WISCONSIN

COUNTY OF DANE

CITY OF MADISON

GENERAL OBLIGATION CORPORATE PURPOSE BOND, SERIES 2024-A

REGISTERED NO. _____ REGISTERED $_____

DATED DATE	INTEREST RATE	MATURITY DATE	CUSIP
_____, 2024	_____%	October __, 20__	

REGISTERED OWNER:

PRINCIPAL AMOUNT:

The CITY OF MADISON (the "City"), a municipal corporation of the State of Wisconsin situate in the County of Dane, acknowledges itself indebted and for value received hereby promises to pay to the registered owner identified above, or registered assigns, the principal amount specified above on the maturity date specified above, unless this bond shall be redeemable and shall have previously been called for redemption and payment of the redemption price made or provided for, and to pay interest on such principal amount from the dated date hereof at the interest rate per annum specified above, payable in lawful money of the United States of America on October 1, 2024, and semiannually thereafter on the first days of April and October and in each year until the principal amount shall have been paid, by check or

draft mailed to the registered owner of record hereof as of the fifteenth day of the calendar month next preceding such interest payment date, at the address of such owner appearing on the registration books maintained by the City for such purpose at the principal corporate trust office of U.S. Bank Trust Company, National Association, in Milwaukee, Wisconsin, as fiscal agent pursuant to Section 67.10(2), Wisconsin Statutes, and as bond registrar or its successor (the "Bond Registrar"). This bond, as to principal and premium, if any, when due, will be payable in lawful money of the United States of America upon presentation and surrender of this bond at the principal corporate trust office of the Bond Registrar. The full faith and credit of the City are irrevocably pledged for the punctual payment of the principal of and interest on this bond according to its terms.

This bond is part of a series of bonds issued in the aggregate principal amount of $_____, which are all of like tenor except as to date, maturity, rate of interest and option of redemption. The bonds are being issued for the following public purpose: reconstruction of a parking facility located at 415 North Lake Street in the City of Madison, Wisconsin known or to be known as State Street parking facility.

The bonds are authorized and issued under and pursuant to Section 67.04 of the Wisconsin Statutes and under and in accordance with a resolution adopted by the Common Council of the City on November 21, 2023, and entitled: "Resolution Authorizing the Issuance and Establishing the Parameters for the Sale of not to exceed $28,605,000 General Obligation Corporate Purpose Bonds of the City of Madison, Wisconsin, and Directing the Final Approval of the Terms Thereof" and the Certificate Approving Details of the Bonds by the City's Finance Director dated _____, 2024.

The bonds maturing on or after October 1, 20_, are subject to redemption prior to maturity as a whole or in part at the option of the City upon notice as herein provided, in any order of maturity at the discretion of the City and by lot within a single maturity, on October 1, 20___, and on any date thereafter, at a redemption price equal to 100% of the principal amount thereof to be redeemed plus accrued interest to the redemption date and without premium.

Notice of the redemption of bonds shall be mailed by the Bond Registrar not less than 30 days nor more than 60 days prior to the date fixed for such redemption to the registered owners of bonds to be redeemed at their last addresses appearing on such registration books. The bonds or portions thereof specified in said notice shall become due and payable at the applicable redemption price on the redemption date therein designated, and if, on the redemption date, moneys for payment of the redemption price of all the bonds or portions thereof to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, then from and after the redemption date interest on such bonds or portions thereof shall cease to accrue and shall become payable.

This bond is transferable only upon such registration books by the registered owner hereof in person, or by his attorney duly authorized in writing, upon surrender hereof at the principal corporate trust office of the Bond Registrar together with a written instrument of transfer satisfactory to the Bond Registrar duly executed by the registered owner or by his duly authorized attorney, and thereupon a new registered bond or bonds, in the authorized

denominations of $5,000 or any integral multiple thereof and of the same aggregate principal amount, maturity and interest rate as this bond shall be issued to the transferee in exchange therefor. In like manner, this bond may be exchanged for an equal aggregate principal amount of bonds of the same maturity and interest rate and of any of such authorized denominations. The City or the Bond Registrar may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to the transfer or exchange of this bond. No other charge shall be made for the privilege of making such transfer or exchange. The City and the Bond Registrar may treat and consider the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal, premium, if any, and the interest due hereon and for all other purposes whatsoever.

This bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been duly executed by the Bond Registrar.

It is hereby certified, recited and declared that all acts, conditions and things required to be done, exist and be performed precedent to and in the issuance of this bond in order to make it a legal, valid and binding obligation of the City have been done, exist and have been performed in regular and due time, form and manner as required by law, that a direct, annual, irrepealable tax has been levied by the City sufficient to pay the interest when it falls due and also to pay and discharge the principal at maturity, and that the series of bonds of which this bond is one, together with all other indebtedness of the City, is within every debt or other limit prescribed by law.

IN WITNESS WHEREOF, the CITY OF MADISON has caused this bond to be executed in its name and on its behalf by the manual or facsimile signatures of its Mayor and its City Clerk, and its corporate seal, or a facsimile thereof, to be hereunto affixed or otherwise reproduced hereon.

CITY OF MADISON

_____
Mayor

(SEAL)

_____
City Clerk

CERTIFICATE OF AUTHENTICATION

Date of Authentication:

This bond is one of the General Obligation Corporate Purpose Bonds, Series 2024-A, described in the within-mentioned resolution.

U.S. BANK TRUST COMPANY, NATIONAL ASSOCIATION, as Bond Registrar

By _____
Authorized Officer

ASSIGNMENT

For value received the undersigned sells, assigns and transfers unto _____ the within bond and hereby irrevocably constitutes and appoints _____ attorney to transfer the said bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated _____

_____

_____
Signature Guarantee

[End of Form of Bonds]

Section 6. Transfer, Exchange and Registry. The Bonds shall be negotiable, subject to the provisions for registration of transfer contained herein. Each Bonds shall be transferable only upon the registration books maintained by the City for that purpose at the principal corporate trust office of the bond registrar, by the registered owner thereof in person or by his attorney duly authorized in writing, upon surrender thereof together with a written instrument of transfer satisfactory to the bond registrar and duly executed by the registered owner or his duly authorized attorney. Upon the surrender for transfer of any such Bond, the City shall execute and the bond registrar shall authenticate and deliver a new Bond or Bonds registered in the name of the transferee, of the same aggregate principal amount, maturity and interest rate as the surrendered Bond. Bonds, upon surrender thereof at the principal corporate trust office of the bond registrar, with a written instrument satisfactory to the bond registrar, duly executed by the registered owner or his attorney duly authorized in writing, may be exchanged for an equal aggregate principal amount of Bonds of the same maturity and interest rate and of the denominations of $5,000 or any integral multiple thereof.

For every such exchange or registration of transfer of Bonds, the City or the bond registrar may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer. No other charge shall be made for the privilege of making such transfer or exchange.

The bond registrar shall not be required to transfer or exchange any Bond after notice of the redemption of all or a portion thereof has been mailed. The bond registrar shall not be required to transfer or exchange any Bond during a period of 15 days next preceding the mailing of a notice of redemption that could designate for redemption all or a portion of such Bond.

The City and the bond registrar may deem and treat the person in whose name any Bond shall be registered upon the registration books as the absolute owner of such Bond, whether such

Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of, premium, if any, or interest thereon and for all other purposes whatsoever, and all such payments so made to any such registered owner or upon his order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sums or sums so paid, and neither the City nor the bond registrar shall be affected by any notice to the contrary.

In order to provide for the initial issuance of the Bonds in a form that provides for a system of book-entry only transfers, the ownership of one fully registered Bond for each maturity in the aggregate principal amount of such maturity shall be registered in the name of Cede & Co., as a nominee of The Depository Trust Company, New York, New York ("DTC"). In the event that the City determines that the system of book-entry only transfers through DTC (or a successor securities depository) is not in the best interests of the Beneficial Owners (as hereinafter defined) of the Bonds or is burdensome to the City, the City may notify DTC, whereupon DTC will notify the DTC Participants (as hereinafter defined) of the availability through DTC of Bond certificates. In such event, the City shall issue and the bond registrar shall authenticate, transfer and exchange Bond certificates as requested by DTC of like principal amount, series and maturity, in denominations of $5,000 or any integral multiple thereof to the identifiable Beneficial Owners, in replacement of such Beneficial Owners' beneficial interests in the Bonds. For the purposes of this paragraph, the term "Beneficial Owners" shall mean (a) those persons for whom DTC was created to hold their securities ("DTC Participants"), and (b) the persons for whom the DTC Participants acquire interests in the Bonds as nominees.

Section 7. Bond Registrar. The City will enter into a contract with and designate U.S. Bank Trust Company, National Association, Milwaukee, Wisconsin, to serve as fiscal agent pursuant to Section 67.10(2), Wisconsin Statutes, and as bond registrar. The City covenants that it shall at all times retain a bank, trust company or national banking association to act as bond registrar with respect to the Bonds, that it will maintain at the designated office of such bote registrar a place where Bonds may be presented for payment and registration of transfer or exchange and that it shall require that the bond registrar maintain proper registration books and perform the other duties and obligations imposed upon it by this resolution in a manner consistent with the standards, customs and practices of the municipal securities business.

The bond registrar shall signify its acceptance of the duties and obligations imposed upon it by this resolution by executing the certificate of authentication on any Bond, and, by such execution, the bond registrar shall be deemed to have certified to the City that it has all requisite power to accept, and has accepted, such duties and obligations not only with respect to the Bond so authenticated but with respect to the Bonds. The bond registrar is the agent of the City and shall not be liable in connection with the performance of its duties except for its own negligence or default. The bond registrar shall, however, be responsible for any representation in its certificate of authentication on the Bonds.

The City may remove the bond registrar at any time. In case at any time the bond registrar shall resign or shall be removed or shall become incapable of acting, or shall be adjudged a bankrupt or insolvent, or if a receiver, liquidator or conservator of the bond registrar, or of its property, shall be appointed, or if any public officer shall take charge or control of the bond registrar or of its property or affairs, the City covenants and agrees that it will thereupon

appoint a successor bond registrar. The City shall mail notice of such appointment made by it to each registered owner of Bonds within 20 days after such appointment.

Section 8. Borrowed Money Funds. The principal proceeds from the sale of the Bonds shall be paid into the City treasury and entered in a fund separate and distinct from all other funds, which fund shall be designated "General Obligation Corporate Purpose Bonds, Series 2024-A, Borrowed Money Fund." Money in said fund shall be used solely for the purposes for which the Bonds were issued, including repayment of any temporary loan or reimbursement of any temporary advance made in anticipation of the issuance of said Bonds.

Section 9. Tax Levy. For the purpose of paying the principal amounts of the Bonds as the same shall mature, and to pay the interest thereon as the same shall come due, there is hereby levied, for each year in which any of the Bonds shall be outstanding, direct, annual, irrepealable taxes in amounts fully sufficient to pay such principal and interest, and the specific amounts levied for each year shall be set forth in the Approving Certificate.

Notwithstanding the foregoing, there is hereby appropriated the aggregate sum of not to exceed $28,605,000 for purposes of paying interest due on the Bonds on October 1, 2024, as further detailed in the Approving Certificate.

Interest or principal coming due at any time when there shall be insufficient funds on hand to pay the same shall be paid promptly when due from current funds on hand in advance of the collection of the taxes herein levied; and when said taxes shall have been collected, reimbursement shall be made to the said funds in the amounts thus advanced.

Section 10. Extension of Taxes. The amounts of taxes levied pursuant to Section 9 hereof, as further detailed in the Approving Certificate, shall be carried onto the tax roll by the City from year to year and collected as other taxes are collected; and such amounts may be reduced in any year only by any amount of surplus money in the Debt Service Fund created pursuant to Section 67.11, Wisconsin Statutes.

Section 11. Debt Service Funds. There is hereby created a fund to be known as "General Obligation Corporate Purpose Bonds, Series 2024-A, Debt Service Fund" (the "Debt Service Fund") to be established and maintained in accordance with generally accepted accounting principles. Into the Debt Service Fund, there shall be deposited the following: (a) all premium and accrued interest received by the City from the sale of the Bonds; (b) all money raised by taxes herein levied pursuant to Section 9 hereof allocable to the Bonds and any amounts appropriated for the specific purpose of paying principal and interest on the Bonds when due; (c) any surplus in the Borrowed Money Fund created in Section 8 hereof for the Bonds; (d) such additional amounts as may at any time be necessary to pay the principal of and interest on the Bonds as the same shall become due; and (e) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

Section 12. Application and Investment of Bond Proceeds. Following the sale of the Bonds, the Mayor and City Clerk are hereby authorized and directed to cause the Bonds to be printed, and to execute and deliver the Bonds to the purchasers thereof upon payment therefor; and the principal proceeds from the sale of the Bonds shall be used only for the purposes and in

the manner required by law and by this resolution. The proceeds may be invested in the manner permitted by law, subject to the restrictions contained in the next succeeding section.

Section 13. Tax Covenants.

(a) The City shall not take, nor omit to take, any action that is lawful and within its power to take, which action or omission would cause interest on any Bonds to become subject to federal income taxes in addition to federal income taxes to which interest on such Bonds is subject on the date of issuance thereof.

(b) The City shall not permit any of the proceeds of the Bonds, or any facilities financed with such proceeds, to be used in any manner that would cause any of the Bonds to constitute a "private activity bond" within the meaning of Section 141 of the Internal Revenue Code of 1986 (the "Code").

(c) The City shall not permit any of the proceeds of the Bonds or other moneys to be invested in any manner that would cause any Bond to constitute an "arbitrage bond" within the meaning of Section 148 of the Code.

(d) The City shall comply with the provisions of Section 148(f) of the Code relating to the payment of certain investment earnings at periodic intervals to the United States of America; provided, however, that such payment shall not be required to the extent the City receives an opinion of nationally recognized bond counsel (which opinion may be given in reliance upon a ruling or rulings of the Internal Revenue Service) to the effect that such payment is not necessary to preserve the exemption from federal income taxes of interest on the Bonds.

Section 14. Continuing Disclosure. In connection with the sale of the Bonds, the Finance Director or his designee (an "Authorized Officer") is hereby authorized to execute and deliver a Continuing Disclosure Undertaking (the "Continuing Disclosure Undertaking") evidencing the City's agreement to comply with the requirements of Section (b)(5) of the Rule adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934. Upon its execution and delivery on behalf of the City as herein provided, the Continuing Disclosure Undertaking will be binding on the City, and the officers, employees and agents of the City are hereby authorized to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Continuing Disclosure Undertaking as executed. Any Authorized Officer is hereby further authorized to amend the Continuing Disclosure Undertaking in accordance with its respective terms from time to time following its execution and delivery as said officer shall deem necessary. In addition, an Authorized Officer is authorized to make or cause to be made all future filings with the Municipal Securities Rulemaking Board with respect to any debt obligations, all in accordance with the provisions of Section (b)(5) of the Rule. Notwithstanding any other provision of this resolution, the sole remedies for any failure by the City to comply with the Continuing Disclosure Undertaking shall be the ability of the beneficial owner of any applicable Bond to seek mandamus or specific performance by court order to cause the City to comply with its obligations under the Continuing Disclosure Undertaking.

Section 15. Defeasance and Payment of Bonds.

(a) If the City shall pay or cause to be paid to the registered owners of a series of Bonds the principal, premium, if any, and interest due or to become due thereon, at the times and in the manner stipulated therein and in this resolution, then the pledge of taxes, securities and funds hereby pledged and the covenants, agreements and other obligations of the City to the registered owners and the beneficial owners of such Bonds shall be discharged and satisfied.

(b) Any series of Bonds, whether at or prior to the maturity or the redemption date of such Bonds, shall be deemed to have been paid within the meaning of this Section if (i) in case any such Bonds are to be redeemed prior to the maturity thereof, there shall have been taken all action necessary to call such Bonds for redemption and notice of such redemption shall have been duly given or provision shall have been made for the giving of such notice, and (ii) there shall have been deposited in trust with a bank, trust company or national banking association acting as fiduciary for such purpose either (A) moneys in an amount which shall be sufficient, or (B) "Federal Obligations" as defined in paragraph (c) of this Section, the principal of and the interest on which when due will provide moneys which, together with any moneys on deposit with such fiduciary at the same time for such purpose, shall be sufficient to pay when due the principal of, redemption premium, if any, and interest due and to become due on said Bonds on and prior to the applicable redemption date or maturity date thereof.

(c) As used in this Section, the term "Federal Obligations" means (i) noncallable, direct obligations of the United States of America, (ii) noncallable and nonprepayable, direct obligations of any agency of the United States of America, which are unconditionally guaranteed by the United States of America as to full and timely payment of principal and interest, (iii) noncallable, nonprepayable coupons or interest installments from the securities described in clause (i) or clause (ii) of this paragraph, which are stripped pursuant to programs of the Department of the Treasury of the United States of America, or (iv) coupons or interest installments stripped from bonds of the Resolution Funding Corporation.

Section 16. Resolution To Constitute a Contract. The provisions of this resolution and the executed Approving Certificate shall constitute a contract between the City and the owner or owners of the Bonds. Any pledge made in this resolution and the provisions, covenants and agreements herein set forth to be performed by or on behalf of the City shall be for the equal benefit, protection and security of the owners of any and all of the Bonds of a series. All of the Bonds of a series, regardless of the time or times of their issuance, shall be of equal rank without preference, priority or distinction of any of the Bonds over any other thereof except as expressly provided in or pursuant to this resolution. This resolution shall constitute full authority for the issuance of the Bonds in accordance with the parameters set forth herein, and to the extent that the provisions of this resolution conflict with the provisions of any other resolution of the City, the provisions of this resolution, as amended, shall control. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

Section 17. Notice. The City Clerk is authorized to publish a notice of the issuance of the Bonds as a class 1 notice pursuant to Section 893.77, Wisconsin Statutes.

Section 18. Expiration of Authority. If the Finance Director has not determined the final terms of the Bonds pursuant to Section 2 hereof and the sale of the Bonds to the purchasers, respectively, has not occurred in accordance with the terms of this resolution by October 1, 2024, then the authority granted in this resolution shall expire and be of no further force and effect.

Section 19. Effective Date. This resolution shall become effective immediately upon its passage, the public welfare requiring it.

Adopted this ___th day of November, 2023, by roll call vote as follows:

Ayes:

Nays:

Approved:

_____
Mayor

(SEAL)

Attest:

_____
City Clerk

EXHIBIT A

FORM OF APPROVING CERTIFICATE

CERTIFICATE APPROVING DETAILS OF $_____ GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2024-A

I, David P. Schmiedicke, the Finance Director of the City of Madison, Wisconsin (the "City") hereby certifies that:

1. Resolution. On November 21, 2023, the Common Council of the City adopted Resolution No. _____ (the "Resolution") authorizing the issuance and establishing parameters for the sale of not to exceed General Obligation Corporate Purpose Bonds, Series 2024-A, in an aggregate principal amount not to exceed $_____ (the "Bonds") and directing the Finance Director to determine the details for the Bonds within such parameters. Capitalized terms used herein which are not defined shall have the meanings given in the Resolution.

2. Certain Terms of the Bonds. In compliance with the Resolution parameters, the Bonds shall be dated _____, shall be issued in the aggregate principal amount of $_____ (which is not more than the amount authorized by the Resolution), and shall mature on October 1 in the years 2025 through 2043 (which is not later than October 1, 2043, as required by the Resolution), in the principal amounts, and shall bear interest at the rates per annum, set forth below:

Year	Principal Amount	Interest Rate
2025	$	%
2026		
2027		
2028		
2029		
2030		
2031		
2032		
2033		
2034		
2035		
2036		
2037		
2038		
2039		
2040		
2041		
2042		
2043		

The true interest rate on the Bonds (computed taking the purchaser's compensation into account) is _____% (which is not in excess of ____%, as required by the Resolution). The debt service schedule on the Bonds is attached hereto as Exhibit A.

3. Purchase Price of the Bonds. The Bonds were sold to _____ (the "Purchaser") in accordance with the Terms of Offering and Bid Form prepared by Baker Tilly Municipal Advisors, LLC ("Baker Tilly"), as the City's independent municipal advisor and in accordance with the Resolution at a price of $_____ [and accrued interest to the date of delivery].

4. Costs of Issuance. The costs of issuance for the Bonds (not including any underwriter's spread) to be paid with proceeds of the Bonds does not exceed $_____.

5. Optional Redemption Provisions of the Bonds. At the option of the City, the Bonds maturing on October 1, 20__ and thereafter shall be subject to redemption prior to maturity on October 1, 20__ or on any date thereafter, in whole or in part, and if in part, at the option of the City and in such manner as the City shall determine.

6. [Mandatory Redemption.]

7. Tax Levy. For the purpose of paying the principal amounts of the Bonds as the same shall mature, and to pay the interest thereon as the same shall come due, there is hereby levied, for each year in which any of the Bonds shall be outstanding, direct, annual, irrepealable taxes in amounts fully sufficient to pay such principal and interest, and the specific amounts levied for each year as follows:

Year of Levy	Amount of Principal and Interest ($)
2024	
2025	
2026	
2027	
2028	
2029	
2030	
2031	
2032	
2033	
2034	
2035	
2036	
2037	
2038	
2039	
2040	

2041
2042
2043

[Notwithstanding the foregoing, the original issue premium on the Bonds in the amount of $_____ is appropriated for purposes of paying interest due on the Bonds on October 1, 2024, in accordance with the Resolution.]

Interest or principal coming due at any time when there shall be insufficient funds on hand to pay the same shall be paid promptly when due from current funds on hand in advance of the collection of the taxes herein levied; and when said taxes shall have been collected, reimbursement shall be made to the said funds in the amounts thus advanced.

8. Expiration of Petition Period. The petition period provided for under Section 67.05(7)(b), Wisconsin Statutes, has expired without the filing of a sufficient petition for referendum with respect to the Initial Resolution authorizing the issuance of the Bonds.

9. Approval. This Certificate constitutes the City's approval of the date of issuance and the definitive principal amount, maturity years, maturity principal amounts, underwriter's discount, interest rates, optional [and mandatory] redemption provisions, purchase price for the Bonds, the costs of issuance to be paid for with proceeds of the Bonds and the direct annual irrepealable tax levy to repay the Bonds, in satisfaction of the conditions and parameters set forth in the Resolution.

IN WITNESS WHEREOF, we have executed this Certificate on [Sale Date], 2024 pursuant to the authority delegated to us in the Resolution.

_____

Finance Director

[Signature page to Approving Certificate]

EXHIBIT A

DEBT SERVICE SCHEDULE

CERTIFICATE

I, Maribeth Witzel-Behl, hereby certify that I am the qualified and acting City Clerk of the City of Madison, Wisconsin (the "City"), and that I am the legal custodian of the papers and records of the City, and as such officer I further certify that I have compared the attached resolution with the original minutes of the meeting of the Common Council of the City held on November 21, 2023, at which meeting a quorum was present and acting throughout, and that such resolution is a complete and correct copy of a resolution duly adopted at said meeting and authorizing the issuance and sale of not to exceed $_____ of the City's General Obligation Corporate Purpose Bonds, Series 2024-A in accordance with the conditions and parameters set forth therein.

I further certify that said resolution was approved by Mayor Satya Rhodes-Conway on November ___, 2023, and that I recorded said resolution in the records kept in my office.

I further certify that notice to the public and to the official City newspaper and to those news media that have filed a written request for such notice, of the time, place and subject matter of the Common Council meeting of November 21, 2023, was given by the Mayor or his designee pursuant to Subchapter V of Chapter 19, Wisconsin Statutes, by posting a written notice thereof at a public bulletin board in the City Hall, and by such other means as was reasonably likely to apprise the members of the public and the news media thereof, all such notices having been given not less than 24 hours prior to the commencement of said meeting.

WITNESS my official signature and the corporate seal of the City this ___ day of November, 2023.

_____
City Clerk

(SEAL)

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80556

File ID:	80556	**File Type:**	Resolution	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	HOUSING STRATEGY COMMITTEE
				File Created Date :	10/25/2023
File Name:	Calling on the Federal Housing Authority as well as Government-Sponsored Enterprises like Fannie Mae and Freddie Mac to provide increased transparency to the public in the process of developing requirements and guidelines for condominium and housing coope			**Final Action:**	

Title: Calling on the Federal Housing Authority as well as Government-Sponsored Enterprises like Fannie Mae and Freddie Mac to provide increased transparency to the public in the process of developing requirements and guidelines for condominium and housing cooperative lending requirements

Notes:

Sponsors:	Derek Field, Marsha A. Rummel, Kristen Slack, Regina M. Vidaver, Michael E. Verveer, Barbara Harrington-McKinney And Amani Latimer Burris	**Effective Date:**	
Attachments:		**Enactment Number:**	
Author:	Ald. Derek Field	**Hearing Date:**	
Entered by:	imatthias@cityofmadison.com	**Published Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Council Office	10/25/2023	Referred for Introduction				
	Action Text:	This Resolution was Referred for Introduction					
	Notes:	Housing Strategy Committee (11/9/23), Common Council (11/21/23)					
1	COMMON COUNCIL	11/07/2023	Refer	HOUSING STRATEGY COMMITTEE		11/09/2023	Pass
	Action Text:	A motion was made by Currie, seconded by Figueroa Cole, to Refer to the HOUSING STRATEGY COMMITTEE. The motion passed by voice vote/other.					
1	HOUSING STRATEGY COMMITTEE	11/09/2023	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass

Action Text: A motion was made by Alder Slack and seconded by Logan to recommend to council to Adopt Calling on the Federal Housing Authority as well as Government-Sponsored Enterprises like Fannie Mae and Freddie Mac to provide increased transparency to the public in the process of developing requirements and guidelines for condominium and housing cooperative lending requirements. Motion passed unanimously.

Text of Legislative File 80556

Fiscal Note

No City appropriation required.

Title

Calling on the Federal Housing Authority as well as Government-Sponsored Enterprises like Fannie Mae and Freddie Mac to provide increased transparency to the public in the process of developing requirements and guidelines for condominium and housing cooperative lending requirements

Body

WHEREAS, condominium development lags nationwide, currently amounting to just 2.3% of multifamily construction, and there have been just two condo projects in recent history within the City of Madison; and,

WHEREAS, condos are a crucial part of the housing market, particularly for those who are looking for a more affordable entrance into the homeownership market and earn equity; and,

WHEREAS, in Madison, the average median sale price for single-family homes was $400,000 between July 2022 and June 2023, while the average median sale price for a condo was $275,000 in that same time period; and,

WHEREAS, this affordable entry to homeownership is particularly important for young adults, as well as empty nesters looking to downsize, which then opens up the homes they are moving from; and,

WHEREAS, condominiums support the City's density and sustainability goals, often as more energy efficient alternatives than single-family homes that can be built around transit hubs, which can ease the burden of traffic and create walkable neighborhoods; and,

WHEREAS, the latest available data about Madison's homeownership rates as measured by Madison's 2023 Housing Strategy Report reveal stark racial inequities as evidenced by the fact that the 2021 homeownership rate for white households was 53%, the rate for Hispanic/Latino households was 35%, the rate for Asian households was 32%, and the rate for Black households was 18%; and,

WHEREAS, not having this affordable entry point can lead to greater inequities in the housing market that disproportionately harm low-income households and households of color, exacerbating existing patterns of wealth inequality and limiting opportunities for social mobility; and,

WHEREAS, there has been increased demand for condominiums in recent years, as indicated by key findings in Madison's 2023 Housing Strategy Report, and housing market data indicates that monthly owner-occupied housing inventory has dropped steadily over the last nine years, while these owner-occupied units spend significantly less time on the market before selling; and,

WHEREAS, this high demand has not led to a greater supply due to factors that cause

condominium development to be both riskier and more expensive than other multifamily development, such as construction defect litigation, a lack of bank financing, and rising construction costs; and,

WHEREAS, mortgages of potential condominium buyers are backed by the Federal Housing Administration and contain owner-occupancy requirements, which outline the proportion of units that must be already owned by individuals set to live in the unit versus a single entity, such as the developer trying to sell new units, in order to be eligible for an FHA-backed mortgage; and,

WHEREAS, while this owner-occupancy rate was 51% prior to the Great Recession and resulting requirement beginning changes in 2009, today it stands at 80% for buildings with 20 or more units; and,

WHEREAS, that in order for a whole development or for single-unit approval within a development to be eligible for mortgages backed by the Federal Housing Administration (FHA), a project must have 80% of units already sold, and only 10% of units may be held by a single entity, such as a developer trying to sell new units, in buildings with more than 20 units; and,

WHEREAS, developers often indicate that they cannot secure financing from banks or investors for construction loans to build condominiums because lenders are worried about the marketability of units once completed because of worries about the ability of purchasers to obtain mortgages, specifically FHA products; and,

WHEREAS, the U.S. Department of Housing and Urban Development (HUD), under the leadership of the Biden-Harris Administration, has taken a number of steps to make homeownership more accessible to all Americans, understanding that homeownership is a foundation for security and a primary source of wealth;

NOW, THEREFORE, BE IT RESOLVED that the Madison Common Council calls on the Federal Housing Authority as well as Government-Sponsored Enterprises like Fannie Mae and Freddie Mac to provide increased transparency to the public in the process of developing requirements and guidelines for condominium and housing cooperative lending requirements.

BE IT FURTHER RESOLVED that the Madison Common Council asks Federal Housing Authority and its supervisory policy bodies to reduce owner-occupancy threshold requirements to the extent that their abilities within the Executive Branch allow them to do so, in order to reduce barriers to FHA-backed mortgage lending for condominium buyers and to provide condominium developers less uncertainty in securing construction financing.

BE IT FINALLY RESOLVED that a copy of this resolution will be sent to the Chief Executive Officers of Fannie Mae and Freddie Mac; the Director of the Federal Housing Finance Agency; the Director of the Federal Housing Authority; The Senate Committee on Banking, Housing, and Urban Affairs and its Subcommittee on Housing, Transportation, and Community Development; The Senate Committee on Appropriations (oversees HUD program funding); The House Committee on Financial Services and its Subcommittee on Housing and Insurance; The House Appropriations Committees and its Subcommittee on Transportation, Housing, and Urban Development; the office of Representative Mark Pocan; and the offices of Senators Tammy Baldwin and Ron Johnson.

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80855

File ID:	80855	**File Type:**	Resolution	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	Attorney's Office
				File Created Date :	11/15/2023
File Name:	Authorize Citian Contract			**Final Action:**	

Title: Authorizing the Mayor and City Clerk to enter into a contract with Citian, Inc. for the purchase of software and professional services for analyzing and reducing traffic accidents and fatalities, as well as authorizing the Mayor and City Clerk to enter into an ancillary agreement with the UW-Madison Traffic Operations and Safety Laboratory to facilitate data sharing.

Notes: AuthorizeCitianContract

Sponsors:	Satya V. Rhodes-Conway	**Effective Date:**	
Attachments:		**Enactment Number:**	
Author:	Eric Finch	**Hearing Date:**	
Entered by:	mglaeser@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	11/15/2023	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055				

Action Text: This Resolution was RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055

Text of Legislative File 80855

Fiscal Note

Fiscal note pending

Title

Authorizing the Mayor and City Clerk to enter into a contract with Citian, Inc. for the purchase of software and professional services for analyzing and reducing traffic accidents and fatalities, as well as authorizing the Mayor and City Clerk to enter into an ancillary agreement with the UW-Madison Traffic Operations and Safety Laboratory to facilitate data sharing.

Body

WHEREAS, The City of Madison Vision Zero initiative strives to improve safety for everyone moving about the city, whether walking, biking, driving and riding transit; and to improve the identified high injury locations, all in an effort to prevent fatal crashes and severe injuries;

WHEREAS, Vision Zero is a data driven strategy intended to eliminate traffic deaths and severe injuries on all roadways, bikeways and sidewalks;

WHEREAS, Most of the data used in the creation of Madison's Vision Zero Action Plan was compiled and distributed by the Traffic Operations and Safety (TOPS) Laboratory based at the University of Wisconsin-Madison;

WHEREAS, Vision Zero must be considered as a part of a larger effort to improve not just traffic safety but will be a part of furthering the City's broader equity goals;

WHEREAS, Madison's Vision Zero Action Plan indicates that the plan will respond to data trends and continue to incorporate safety innovations and opportunities to eliminate traffic fatalities and injuries as time passes;

WHEREAS, Citian's CRASH (Crash Reduction through Analysis of Safety Hazards) software is a leading new product, providing a comprehensive hub for traffic crash data, analysis, and reporting, leveraging artificial intelligence and advanced data analytics to meet identified traffic safety goals;

WHEREAS, Madison's Traffic Engineering Division has done due diligence in selecting Citian as a software and professional services provider that can improve City decision making and processes;

WHEREAS, a Non-Competitive Selection Request has been completed by Traffic Engineering because the services are only available from one firm;

WHEREAS, continued and increased collaboration with the TOPS Laboratory at UW-Madison is desirable;

WHEREAS, Citian's software will be able to do combined analysis of TOPS data, City of Madison GIS data, and other data; and

WHEREAS, the contract's yearly cost is $89,000, and Traffic Engineering has sufficient funding authority in 2023 (prorated) and 2024 City of Madison Budgets;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the City Clerk are authorized to execute a contract for the purchase of services with Citian, Inc., in form to be approved by the City Attorney, and which may be automatically renewed annually until the end of 2030.

BE IT FURTHER RESOLVED that the Mayor and the City Clerk are authorized to execute a Memorandum of Understanding for data sharing with the Traffic Operations and Safety (TOPS) Laboratory at the University of Wisconsin-Madison, in form to be approved by the City Attorney, which may be renewed until the end of 2030.

BE IT FINALLY RESOLVED that the Director of Traffic Engineering is authorized to decline renewal of the contract(s) at any time before the end of 2030 in their sole discretion.

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 79968

File ID:	79968	**File Type:**	Resolution	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	PLAN COMMISSION
				File Created Date :	09/20/2023
File Name:	Prelim Plat - East Meadow Estates, 5803 Lien Rd			**Final Action:**	

Title: Approving the preliminary plat of the *East Meadow Estates* on property addressed as 5803 Lien Road (District 17).

Notes:

Sponsors:	Planning Division	**Effective Date:**	
Attachments:	Locator Maps.pdf, Subdivision Application.pdf, Letter of Intent.pdf, Preliminary Plat.pdf, Project Plans.pdf, Staff Comments.pdf, Link to Rezoning ID 80331	**Enactment Number:**	
Author:		**Hearing Date:**	
Entered by:	tparks@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	PLAN COMMISSION	11/13/2023	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER				Pass

Action Text: A motion was made by Heck, seconded by Figueroa Cole, to RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER. The motion passed by voice vote/other.

Notes: On a motion by Heck, seconded by Ald. Figueroa Cole, the Plan Commission found the standards met and recommended approval of the preliminary plat to the Common Council subject to the comments and conditions in the Plan Commission materials. The motion to recommend approval passed by voice vote/ other.

Text of Legislative File 79968

Title
Approving the preliminary plat of the *East Meadow Estates* on property addressed as 5803 Lien Road (District 17).

Body
WHEREAS SC Swiderski Land Co., LLC has duly filed a preliminary plat known as *East Meadow Estates* on property addressed as 5803 Lien Road, City of Madison, Dane County,

Wisconsin for approval by the Madison Common Council; and

NOW THEREFORE BE IT RESOLVED that said preliminary plat be is hereby approved subject to all conditions as required by the reviewing City departments as required by Section 16.23 of the general ordinances of the City of Madison and all conditions noted in the Plan Commission files.

BE IT FURTHER RESOLVED that the Common Council authorizes City staff to request approval from the Capital Area Regional Planning Commission of any minor revisions to adopted environmental corridor boundaries within the Central Urban Service Area relating to this subdivision, and that the Council recognizes and adopts said revised boundaries.

BE IT FURTHER RESOLVED that the Planning Division is authorized to reflect the recorded subdivision in the Comprehensive Plan and any applicable neighborhood plans.

City of Madison

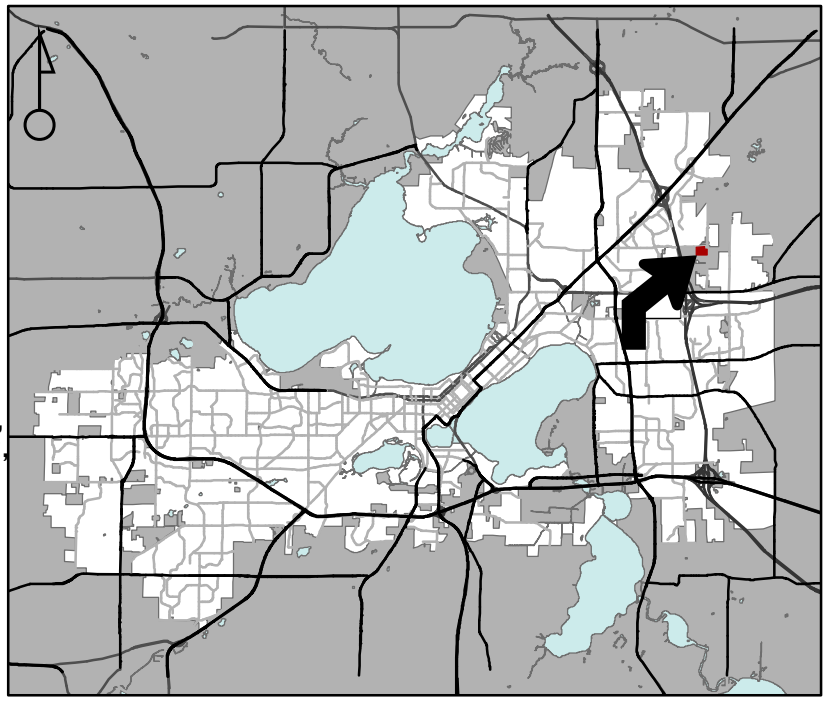
Rezoning and Preliminary Plat

Location
5803 Lien Road

Project Name
East Meadow Estates

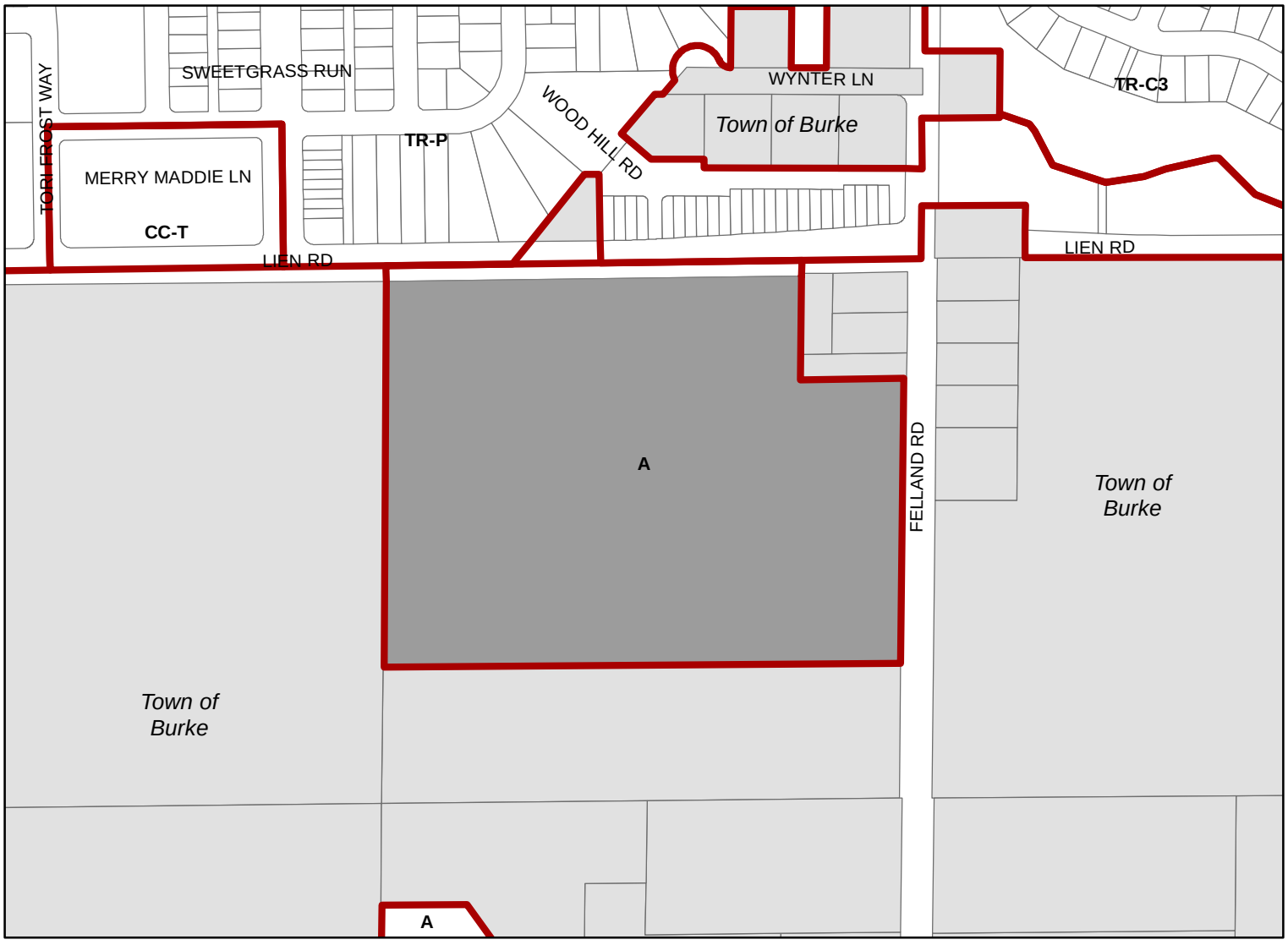
Applicant
Joleen Specht, SC Swiderski
Katie Halverson, Ramaker

Request
- Rezoning from A to TR-P
- East Meadow Estates, creating 18 single-family lots, 11 lots for future multi-family development, and 6 outlots for public stormwater management, parkland, and conservancy



Public Hearing Dates
Plan Commission
November 13, 2023
Common Council
November 21, 2023

For Questions Contact: Tim Parks at: 261-9632 or tparks@cityofmadison.com or City Planning at 266-4635



Scale : 1" = 400'

City of Madison, Planning Division : JC : Date : 10-9-23

City of Madison

5803 Lien Road



Date of Aerial Photography : Spring 2022

SUBDIVISION APPLICATION

**** Please read both pages of the application completely and fill in all required fields ****

For a digital copy of this form with fillable fields, please visit:
https://www.cityofmadison.com/sites/default/files/city-of-madison/development-services-center/documents/SubdivisionApplication.pdf

If you need an interpreter, translator, materials in alternate formats or other accommodations to access these forms, please call the Planning Division at (608) 266-4635.

Si necesita interprete, traductor, materiales en diferentes formatos, u otro tipo de ayuda para acceder a estos formularios, por favor llame al (608) 266-4635.

Yog tias koj xav tau ib tug neeg txhais lus, tus neeg txhais ntawv, los sis xav tau cov ntaub ntawv ua lwm hom ntawv los sis lwm cov kev pab kom paub txog cov lus qhia no, thov hu rau Koog Npaj (Planning Division) (608) 266-4635.

City of Madison
Planning Division
Madison Municipal Building, Suite 017
215 Martin Luther King, Jr. Blvd.
P.O. Box 2985
Madison, WI 53701-2985
(608) 266-4635

NOTICE REGARDING LOBBYING ORDINANCE: If you are seeking approval of a development that has over 40,000 square feet of non-residential space, or a residential development of over 10 dwelling units, or if you are seeking assistance from the City with a value of $10,000 (including grants, loans, TIF or similar assistance), then you likely are subject to Madison's lobbying ordinance (M.G.O. Sec. 2.40). You are required to register and report your lobbying. Please consult the City Clerk's Office for more information. Failure to comply with the lobbying ordinance may result in fines.

1. Application Type

☑ Preliminary Subdivision Plat ☐ Final Subdivision Plat ☐ Land Division/Certified Survey Map (CSM)

If a Plat, Proposed Subdivision Name: East Meadow Estates

2. Review Fees

- For Preliminary and/or Final Plats, an application fee of $250, plus $50 per lot or outlot contained on the plat.
- For Certified Survey Maps, an application fee of $250 plus $200 per lot and outlot contained on the CSM.

Make checks payable to "City Treasurer" and mail it to the following address: City of Madison Building Inspection; P.O. Box 2984; Madison, WI 53701-2984. Please include a cover page with the check which includes the project address, brief description of the project, and contact information.

3. Property Owner and Agent Information

Name of Property Owner: SC Swiderski Land Co LLC Representative, if any: Joleen Specht

Street address: 401 Ranger St City/State/Zip: Mosinee, WI 54455

Telephone: 715-693-7838 Email: jspecht@scswiderski.com

Firm Preparing Survey: Ramaker Contact: Katie Halverson

Street address: 855 Community Drive City/State/Zip: Sauk City, WI 53583

Telephone: 608-588-5740 Email: khalverson@ramaker.com

Check only ONE – ALL Correspondence on this application should be sent to: ☐ Property Owner, OR ☑ Survey Firm

4. Property Information for Properties Located within Madison City Limits

Parcel Addresses: 5803 Lien Road

Tax Parcel Number(s): 0810-352-0099-8

Zoning District(s) of Proposed Lots: TR-P, CN, PR School District: Sun Prairie

- **Please include a detailed description of the number and use of all proposed lots and outlots in your letter of intent.**

4a. Property Information for For Properties Located *Outside* the Madison City Limits in the City's Extraterritorial Jurisdiction:

Parcel Addresses (note town if located outside City): _____

Date of Approval by Dane County: _____ Date of Approval by Town: _____

- **For an exterritorial request to be scheduled, approval letters from both the Town and Dane County must be submitted.**

5. Subdivision Contents and Description. Complete table as it pertains to your request; do not complete gray areas.

Land Use	Lots	Outlots	Acres
Residential	29		13.41
Retail/Office			
Industrial			

Land Use	Lots	Outlots	Acres
Other (state use):			
Outlots Dedicated to the Public (Parks, Stormwater, etc.)		6	7.03
Outlots Maintained by a Private Group or Association			
PROJECT TOTALS	29	5	20.44

6. Required Submittal Materials

Digital (PDF) copies of all items listed below (if applicable) are required. Applicants are to submit each of these documents as *individual PDF files* in an e-mail sent to PCapplications@cityofmadison.com. The transmittal shall include the name of the project and applicant. Note 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. Electronic submittals via file hosting services (such as Dropbox) are *not* allowed. Applicants who are unable to provide the materials electronically should contact the Planning Division at Planning@cityofmadison.com or (608) 266-4635 for assistance.

☐ **A Completed Subdivision Application Form** (i.e. both sides of this form)

☐ **Map Copies** (prepared by a Registered Land Surveyor):

- For Preliminary Plats, the drawings must be drawn to scale and are required to provide all information as set forth in M.G.O. Sec. 16.23 (7)(a).
- For Final Plats, the drawings must be drawn to scale and drawn to the specifications of §236.20, Wis. Stats..
- For Certified Survey Maps (CSMs), the drawings shall include all of the information set forth in M.G.O. Secs. 16.23 (7)(a) and (d), including existing site conditions, the nature of the proposed division and any other necessary data. Utility data (field located or from utility maps) may be provided on a separate map submitted with application.

For Plat & CSMs, in addition to the PDF copy, a digital CADD file shall also be submitted 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 plat, preliminary plat or CSM as submitted: 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 in title and shown on the plat or CSM including wetland & floodplain boundaries.)

☐ **Letter of Intent**: One copy of a letter describing the proposed subdivision or land division in detail including, but not limited to:

- The number and type/use of the lots and outlots proposed with this subdivision or land division, including any outlots to be dedicated to the public;
- Existing conditions and uses of the property;
- Phasing schedule for the project, and;
- The names of persons involved (property owner(s), subdivider, surveyor, civil engineer, etc.).

* *The letter of intent for a subdivision or land division may be the same as the letter of intent submitted with a concurrent Land Use Application for the same property.*

** *A letter of intent is not required for Subdivision Applications for lot combinations or split duplexes.*

☐ **Report of Title and Supporting Documents**: One copy of a City of Madison standard 60-year Report of Title obtained from a title insurance company as required in M.G.O. Sec. 16.23 and as satisfactory to the Office of Real Estate Services. Note:

- *The Report of Title must have been completed within three (3) months of the submittal date of this application. Title insurance or a title commitment policy are NOT acceptable* (i.e. a Preliminary Title Report or a Record Information Certificate).
- The electronic PDF submittal shall include images of the vesting deeds and all documents listed in the Report of Title.
- *Do not email these files to the City's Office of Real Estate Services*. Send them instead to the email address noted at the top of this page.

☐ **For Surveys Outside the Madison City Limits**: One copy of the approval letters from the town where the property is located *and* Dane County shall be submitted with your request. The Plan Commission may not consider an application within its extraterritorial jurisdiction without prior approval from the town and Dane County.

7. Applicant Declarations:

The signer attests that the application has been completed accurately and all required materials have been submitted:

Applicant's Printed Name: Joleen Specht Signature: [signature]

Date: 9/15/2023 Interest In Property On This Date: Representative of Owner

September 18, 2023

SC Swiderski
401 Ranger St.
Mosinee, WI 54455

RE: Letter of Intent – East Meadow Estates – Land Use Application and Subdivision Application

The attached information details the proposed rezoning and subdivision of the property located at 5803 Lien Road for the development of East Meadow Estates. The proposed neighborhood development will subdivide the existing parcel at 5803 Lien Road into 29 residential lots and 6 outlots dedicated to the public for stormwater treatment, park space, public alley, and conservancy.

The existing site consists of actively farmed agricultural fields, meadows, and densely wooded hillsides. The site is proposed to be rezoned from A to TR-P, CN, and PR.

Proposed development of the site is intended to be done in one overall phase with work anticipated to begin in 2024.

Project Team

Developer: SC Swiderski
Joleen Specht, jspecht@scswiderski.com 715-693-7838
401 Ranger Street
Mosinee, WI 54455

Civil Engineer: Ramaker
Katie Halverson, P.E. khalverson@ramaker.com 608-588-5740
855 Community Drive
Sauk City, WI 53583

Surveyor: Ramaker
Jim Syvrud, jsyvrud@ramaker.com 608-219-6094
855 Community Drive
Sauk City, WI 53583

We look forward to working with City of Madison staff to develop this proposed neighborhood. Thank you,

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DRAWN BY: JAS CHECKED BY: TDN

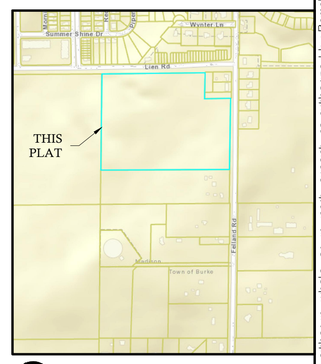
PRELIMINARY PLAT OF EAST MEADOW ESTATES

LOT ONE (1), CERTIFIED SURVEY MAP NO. 13765, RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR DANE COUNTY, WISCONSIN, IN VOLUME 91 OF CERTIFIED SURVEY MAPS, PAGES 44-46 AS DOCUMENT NO. 5086431 AND ALSO BEING LOCATED IN PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4-NW1/4) OF SECTION THIRTY-FIVE (35), TOWNSHIP EIGHT (8) NORTH, RANGE TEN (10) EAST, IN THE CITY OF MADISON, DANE COUNTY, WISCONSIN

There are no objections to this plat with respect to Secs. 235.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____

Department of Administration



VICINITY MAP
NOT TO SCALE

NORTHWEST CORNER SECTION 35, T8N, R10E FOUND, BRASS CAP MONUMENT

NORTH QUARTER CORNER SECTION 35, T8N, R10E FOUND, 1-1/4" IRON ROD

LIEN ROAD
(PUBLIC RIGHT-OF-WAY VARIES)

NORTH LINE OF THE NW1/4 OF SECTION 35, T8N, R10E

FELLAND ROAD
(PUBLIC RIGHT-OF-WAY VARIES)

EAST LINE OF THE NW1/4 OF SECTION 35, T8N, R10E

WILDFLOWER LANE
(DEDICATED TO THE PUBLIC)

SWEET CLOVER STREET
(DEDICATED TO THE PUBLIC)

FERN MEADOW DRIVE
(DEDICATED TO THE PUBLIC)

LAVENDER LANE
(DEDICATED TO THE PUBLIC)

OUTLOT 1
201,401 S.F.
4.62 AC.
DEDICATED TO THE PUBLIC FOR STORMWATER MANAGEMENT AND DRAINAGE PURPOSES

OUTLOT 2
37,315 S.F.
0.86 AC.
DEDICATED TO THE PUBLIC FOR STORMWATER MANAGEMENT AND DRAINAGE PURPOSES

OUTLOT 3
17,428 S.F.
0.40 AC.
DEDICATED TO THE PUBLIC FOR STORMWATER MANAGEMENT AND DRAINAGE PURPOSES

OUTLOT 4
22,921 S.F.
0.53 AC.
DEDICATED TO THE PUBLIC FOR STORMWATER MANAGEMENT AND DRAINAGE PURPOSES

OUTLOT 5
27,645 S.F.
0.63 AC.
DEDICATED TO THE PUBLIC FOR PARK PURPOSES

OUTLOT 6
11,349 S.F.
(DEDICATED TO THE PUBLIC FOR ROADWAY PURPOSES)

LOT 1
124,272 S.F.
2.85 AC.

LOT 1
C.S.M. NO. 13765

LOT 2
102,605 S.F.
2.36 AC.

LOT 3
48,123 S.F.
1.10 AC.

LOT 4
16,186 S.F.
0.37 AC.

LOT 5
15,984 S.F.
0.37 AC.

LOT 6
16,186 S.F.
0.37 AC.

LOT 7
48,444 S.F.
1.11 AC.

LOT 8
12,280 S.F.
0.28 AC.

LOT 9
16,186 S.F.
0.37 AC.

LOT 10
15,984 S.F.
0.37 AC.

LOT 11
16,186 S.F.
0.37 AC.

LOT 12
9,229 S.F.
0.21 AC.

LOT 13
7,941 S.F.
0.18 AC.

LOT 14
7,941 S.F.
0.18 AC.

LOT 15
7,806 S.F.
0.18 AC.

LOT 16
7,552 S.F.
0.17 AC.

LOT 17
11,901 S.F.
0.27 AC.

LOT 18
9,368 S.F.
0.22 AC.

LOT 19
7,889 S.F.
0.18 AC.

LOT 20
7,855 S.F.
0.18 AC.

LOT 21
7,821 S.F.
0.18 AC.

LOT 22
7,787 S.F.
0.18 AC.

LOT 23
8,661 S.F.
0.20 AC.

LOT 24
8,925 S.F.
0.20 AC.

LOT 25
7,644 S.F.
0.18 AC.

LOT 26
7,610 S.F.
0.17 AC.

LOT 27
7,441 S.F.
0.17 AC.

LOT 28
7,153 S.F.
0.16 AC.

LOT 29
10,984 S.F.
0.25 AC.

UNPLATTED LANDS

POINT OF BEGINNING

DEDICATED TO THE PUBLIC

LEGEND

- ○ SET 1-1/4"x18" REBAR, MINIMUM WEIGHT OF 4.17 LBS/LINEAR FOOT. ALL OTHER LOT AND OUTLOT CORNERS ARE MARKED WITH 3/4"x18" REBAR, MINIMUM WEIGHT OF 1.50 LBS/LINEAR FOOT.
- ● FOUND 3/4" IROD ROD
- ○ FOUND 1" IRON PIPE
- ◔ FOUND DANE COUNTY SECTION CORNER (AS NOTED)
- (##) RECORDED AS

NOTES:

1. ALL STREETS AND OUTLOTS WILL BE DEDICATED TO THE PUBLIC.
2. DISTANCES, LENGTHS AND WIDTHS ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.
3. SEE SHEET 2 FOR CURVE TABLE.
4. CLUSTER MAILBOX LOCATIONS WILL BE IDENTIFIED AND APPROVED BY THE U.S. POST OFFICE AND THE CITY OF MADISON AND DEPICTED ON THE FINAL PLAT.
5. UTILITY EASEMENTS ARE NOT DEPICTED ON THIS PRELIMINARY PLAT AS THEIR LOCATIONS ARE YET TO BE DETERMINED.

NORTH

0 35' 70' 140'

1" = 70'

WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY, U.S. FOOT

BEARING ARE REFERENCED TO THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 35, T8N, R10E MEASURED TO BEAR S0°36'55"W

OWNER/SUBDIVIDER:
S.C. SWIDERSKI, LLC
ATTN: JOLEEN SPECHT
401 RANGER STREET
MOSINEE, WI 54455

ENGINEER/SURVEYOR:
RAMAKER & ASSOCIATES, INC.
855 COMMUNITY DRIVE
SAUK CITY, WI 53583

CENTER CORNER SECTION 35, T8N, R10E FOUND, BRASS CAP

RAMAKER
employee-owned
(608) 643-4100 www.ramaker.com

JOB NUMBER: 50413
DATE: 09/18/2023
SHEET 1 OF 2

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DRAWN BY: JAS CHECKED BY: TDN

PRELIMINARY PLAT OF EAST MEADOW ESTATES

LOT ONE (1), CERTIFIED SURVEY MAP NO. 13765, RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR DANE COUNTY, WISCONSIN, IN VOLUME 91 OF CERTIFIED SURVEY MAPS, PAGES 44-46 AS DOCUMENT NO. 5086431 AND ALSO BEING LOCATED IN PART OF THE NORTHEAST QUATER OF THE NORTHWEST QUARTER (NE1/4-NW1/4) OF SECTION THIRTY-FIVE (35), TOWNSHIP EIGHT (8) NORTH, RANGE TEN (10) EAST, IN THE CITY OF MADISON, DANE COUNTY, WISCONSIN

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____

Department of Administration

BOUNDARY DESCRIPTION:
I, TRENT D. NELSON, WISCONSIN PROFESSIONAL LAND SURVEYOR 3132-8, DO HEREBY CERTIFY THAT IN FULL COMPLIANCE WITH PROVISIONS OF CHAPTER 236 OF THE WISCONSIN STATE STATUTES AND THE SUBDIVISION REGULATIONS OF THE CITY OF MADISON, AND UNDER THE SUPERVISION OF THE OWNERS LISTED BELOW, I HAVE SURVEYED, DIVIDED AND MAPPED "EAST MEADOW ESTATES" AND THAT SUCH PLAT CORRECTLY REPRESENTS ALL THE EXTERIOR BOUNDARIES AND THE SUBDIVISION OF THE LAND SURVEYED AS DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING LOT 1 OF CERTIFIED SURVEY MAP NO. 13765, RECORDED IN VOLUME 91 OF CERTIFIED SURVEYS, PAGES 44 - 46 AS DOCUMENT NO. 5086431 AND ALSO BEING LOCATED IN PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4-NW1/4) OF SECTION THIRTY-FIVE (35), TOWNSHIP EIGHT (8) NORTH, RANGE TEN (10) EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 35; THENCE S0°36'55"W, 295.16 FEET ALONG THE EAST LINE OF SAID NORTHWEST QUARTER; THENCE S89°14'04"W, 40.01 FEET TO THE WEST PUBLIC RIGHT-OF-WAY OF FELLAND ROAD AND THE POINT OF BEGINNING; THENCE S0°36'55"W, 702.62 FEET ALONG SAID WEST PUBLIC RIGHT-OF-WAY OF FELLAND ROAD; THENCE S89°35'26"W, 1272.23 FEET ALONG THE SOUTH LINE OF SAID CERTIFIED SURVEY MAP NUMBER 13765 TO THE WEST LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE N0°17'05"E, 949.72 FEET TO THE SOUTH PUBLIC RIGHT-OF-WAY OF LIEN ROAD; THENCE N89°14'01"E, 1022.64 FEET ALONG SAID SOUTH PUBLIC RIGHT-OF-WAY OF LIEN ROAD; THENCE S0°37'01"W, 255.14 FEET; THENCE N89°14'04"E, 255.25 FEET TO THE WEST PUBLIC RIGHT-OF-WAY OF FELLAND ROAD AND THE POINT OF BEGINNING. THIS PARCELS CONTAINS 1,150,763 SQUARE FEET OR 26.42 ACRES THEREOF.

DATE:_____

_____
TRENT D. NELSON, #3132-8
PROFESSIONAL LAND SURVEYOR

LIMITED LIABILITY COMPANY OWNERS' CERTIFICATE:
S.C. SWIDERSKI, LLC, A LIMITED LIABILITY COMPANY DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS MANAGING MEMBER, DOES HEREBY CERTIFY THAT SAID COMPANY CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED AND MAPPED, AND DEDICATED AS REPRESENTED ON THIS PLAT OF EAST MEADOW ESTATES, DOES FURTHER CERTIFY THAT THIS PLAT IS REQUIRED BY WISCONSIN STATUTES 236.10 OR 236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION:

DEPARTMENT OF ADMINISTRATION
COMMON COUNCIL, CITY OF MADISON
DANE COUNTY ZONING AND LAND REGULATION COMMITTEE

IN WITNESS WHEREOF, S.C. SWIDERSKI, LLC, HAS CAUSED THESE PRESENTS TO BE SIGNED BY JOLEEN SPECHT, ITS MANAGING MEMBER, AND ITS COMPANY SEAL TO BE HEREUNTO AFFIXED ON THIS _____ DAY OF _____, 2023.

S.C. SWIDERSKI, LLC, A LIMITED LIABILITY COMPANY

BY: _____
JOLEEN SPECHT, DEVELOPMENT PROJECT MANAGER

STATE OF WISCONSIN
(COUNTY OF DANE) S.S.

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2023 THE ABOVE NAMED JOLEEN SPECHT, THE DEVELOPMENT PROJECT MANAGER OF THE ABOVE LIMITED LIABILITY COMPANY, TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT, AND TO ME KNOWN TO BE SUCH MANAGING MEMBER OF SUCH LIMITED LIABILITY COMPANY, AND ACKNOWLEDGE THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS SUCH MEMBER AS THE DEED OF SAID COMPANY, BY ITS AUTHORITY.

_____ COUNTY, WISCONSIN

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES:_____

_____
PRINT NAME

CONSENT OF CORPORATE MORTGAGEE:
NICOLET NATIONAL BANK, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, MORTGAGEE OF THE ABOVE DESCRIBED LAND, DOES HEREBY CONSENT TO THE SURVEYING, DIVIDING, MAPPING AND DEDICATION OF THE LAND DESCRIBED ON THIS PLAT, AND DOES HEREBY CONSENT TO THE ABOVE CERTIFICATE OF S.C. SWIDERSKI, LLC, OWNER.

IN WITNESS THEREOF, THE SAID NICOLET NATIONAL BANK HAS CAUSED THESE PRESENTS TO BE SIGNED BY KEITH BARRS, ITS SENIOR VICE PRESIDENT & COMMERCIAL BANKING MANAGER AT WAUSAU, WI AND ITS COMPANY SEAL TO BE HEREUNTO AFFIXED ON THIS _____ DAY OF _____, 2023.

IN THE PRESENCE OF:
NICOLET NATIONAL BANK

_____
KEITH BARRS, SENIOR VICE PRESIDENT & COMMERCIAL BANKING MANAGER

STATE OF WISCONSIN
(COUNTY OF DANE) S.S.

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2023 THE ABOVE NAMED JOLEEN SPECHT, THE DEVELOPMENT PROJECT MANAGER OF THE ABOVE LIMITED LIABILITY COMPANY, TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT, AND TO ME KNOWN TO BE SUCH MANAGING MEMBER OF SUCH LIMITED LIABILITY COMPANY, AND ACKNOWLEDGE THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS SUCH MEMBER AS THE DEED OF SAID COMPANY, BY ITS AUTHORITY.

_____ COUNTY, WISCONSIN

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES:_____

_____
PRINT NAME

CITY OF MADISON COMMON COUNCIL CERTIFICATE:
RESOLVED THAT THE PLAT OF "EAST MEADOW ESTATES" LOCATED IN THE CITY OF MADISON, WAS HEREBY APPROVED BY ENACTMENT NUMBER _____, FILE I.D. NUMBER _____, ADOPTED THE _____ DAY OF _____, 2023, AND THAT SAID ENACTMENT FURTHER PROVIDED FOR THE ACCEPTANCE OF THESE LANDS DEDICATED AND RIGHTS CONVEYED BY SAID PLAT TO THE CITY OF MADISON FOR PUBLIC USE.

DATE THIS _____ DAY OF _____, 2023.

_____
MARIBETH WITZEL-BEHL, CITY CLERK, CITY OF MADISON, DANE COUNTY, WISCONSIN

CITY OF MADISON PLAN COMMISSION CERTIFICATE:
APPROVED FOR RECORDING PER THE SECRETARY OF THE CITY OF MADISON PLAN COMMISSION.

_____

_____, SECRETARY OF PLAN COMMISSION
CITY OF MADISON, DANE COUNTY, WISCONSIN

CITY OF MADISON TREASURER'S CERTIFICATE:
I, (FINANCE DIRECTOR'S NAME), BEING THE DULY APPOINTED, QUALIFIED AND ACTING FINANCE DIRECTOR OF THE CITY OF MADISON, DANE COUNTY, WISCONSIN, DO HEREBY CERTIFY THAT IN ACCORDANCE WITH THE RECORDS IN MY OFFICE, THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS AFFECTING ANY OF THE LANDS INCLUDED IN THE PLAT OF EAST MEADOW ESTATES SUBDIVISION AS OF THIS _____ DAY OF _____, 2023.

_____
DAVID M. GAWENDA, CITY TREASURER, CITY OF MADISON, DANE COUNTY, WISCONSIN

COUNTY TREASURER'S CERTIFICATE:
I, ADAM GALLAGHER, BEING THE DULY ELECTED, QUALIFIED AND ACTING TREASURER OF THE COUNTY OF DANE, DO HEREBY CERTIFY THAT RECORDS IN MY OFFICE SHOW NO UNREDEEMED TAX SALES AND NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS AS OF _____, 2023, ON ANY OF THE LAND INCLUDED IN THE PLAT OF EAST MEADOW ESTATES SUBDIVISION AS OF THIS _____ DAY OF _____, 2023.

_____
ADAM GALLAGHER, DANE COUNTY TREASURER

REGISTER OF DEEDS:
RECEIVED FOR THE RECORDING THIS _____ DAY OF _____, 2023, AT _____ O'CLOCK __.M. AND RECORDED IN VOLUME _____ OF PLATS OF DANE COUNTY ON PAGE(S) _____, AS DOCUMENT NUMBER _____.

_____
KRISTI CHLEBOWSKI, DANE COUNTY REGISTER OF DEEDS

CURVE TABLE

CURVE #	ARC LENGTH	RADIUS	DELTA	CHORD LENGTH	CHORD DIRECTION	CENTRAL ANGLE
C1	21.32	15.00	81.45	19.57	S50° 02' 34"E	81° 26' 51"
C2	26.58	15.00	101.53	23.24	N38° 28' 12"E	101° 31' 39"
C3	77.24	415.00	10.66	77.13	S14° 39' 04"E	10° 39' 52"
C4	44.96	335.00	7.69	44.93	N16° 08' 19"W	7° 41' 23"
C5	140.22	343.00	23.42	139.24	N11° 42' 40"W	23° 25' 21"
C6	121.20	407.00	17.06	120.75	N8° 31' 51"W	17° 03' 42"
C7	23.56	15.00	90.00	21.21	N45° 00' 00"E	90° 00' 00"
C8	23.56	15.00	90.00	21.21	N45° 00' 00"W	90° 00' 00"
C9	23.56	15.00	90.00	21.21	S45° 00' 00"E	90° 00' 00"
C10	23.56	15.00	90.00	21.21	N45° 00' 00"E	90° 00' 00"
C11	23.56	15.00	90.00	21.21	S45° 00' 00"W	90° 00' 00"
C12	23.56	15.00	90.00	21.21	N45° 00' 00"W	90° 00' 00"
C13	23.56	15.00	90.00	21.21	S45° 00' 00"E	90° 00' 00"
C14	23.56	15.00	90.00	21.21	N45° 00' 00"E	90° 00' 00"
C15	23.56	15.00	90.00	21.21	N45° 00' 00"E	90° 00' 00"
C16	23.56	15.00	90.00	21.21	S45° 00' 00"W	90° 00' 00"
C17	23.56	15.00	90.00	21.21	N45° 00' 00"W	90° 00' 00"
C18	23.56	15.00	90.00	21.21	S45° 00' 00"E	90° 00' 00"
C19	23.56	15.00	90.00	21.21	N45° 00' 00"E	90° 00' 00"
C20	23.40	15.00	89.38	21.10	S45° 18' 27"W	89° 23' 05"
C21	23.72	15.00	90.61	21.33	S44° 41' 33"E	90° 36' 54"
C22	23.40	15.00	89.38	21.10	S45° 18' 27"W	89° 23' 05"
C23	23.72	15.00	90.61	21.33	S44° 41' 33"E	90° 36' 54"

RAMAKER
employee-owned
(608) 643-4100 www.ramaker.com

JOB NUMBER: 50413
DATE: 09/18/2023
SHEET 2 OF 2

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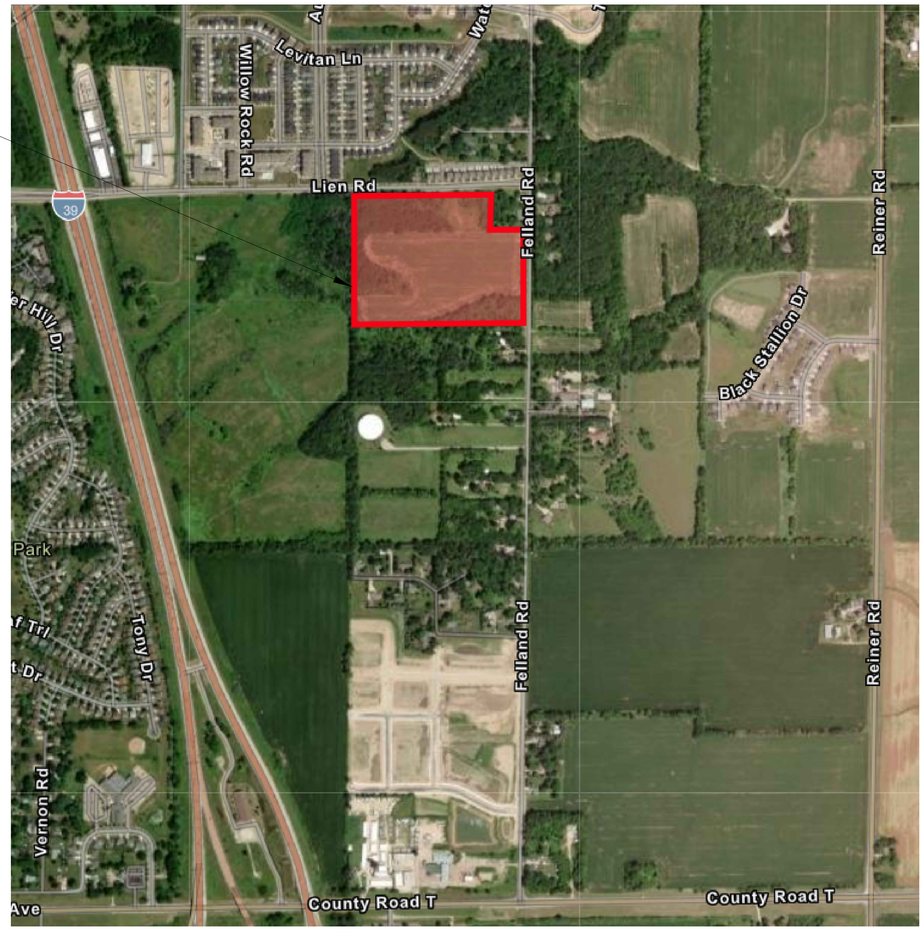
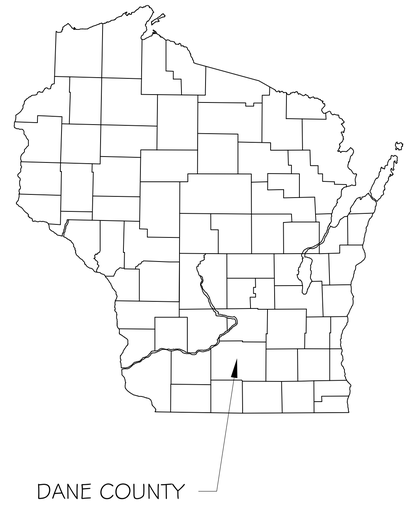
EAST MEADOW ESTATES
NEIGHBORHOOD DEVELOPMENT
CITY OF MADISON, WISCONSIN





SHEET LIST TABLE	
SHEET NUMBER	SHEET TITLE
T-1	TITLE SHEET
C-1	EXISTING CONDITIONS
C-2	PROPOSED SITE PLAN
C-3	PRELIMINARY GRADING PLAN
C-4	PROPOSED ZONING EXHIBIT
C-5	PROPOSED TRANSPORTATION EXHIBIT
C-6	UTILITY PLAN

TO OBTAIN LOCATION OF PARTICIPANTS' UNDERGROUND FACILITIES BEFORE YOU DIG IN WISCONSIN

DIGGERS HOTLINE
811 OR 1-800-242-8511

WISCONSIN STATUTE 182.0175 (1974) REQUIRES MIN. OF 3 WORK DAYS NOTICE BEFORE YOU EXCAVATE.

RAMAKER
employee-owned
(608) 643-4100 www.ramaker.com

NORTH

Certification & Seal:

PRELIMINARY
FOR REVIEW
PURPOSES ONLY

MARK	DATE	DESCRIPTION

DATE ISSUED: 2023-09-18
ISSUE PHASE: PLAN COMMISSION SUBMITTAL

PROJECT TITLE:
EAST MEADOW ESTATES NEIGHBORHOOD DEVELOPMENT

PROJECT OWNER:
SC SWIDERSKI LLC.

PROJECT LOCATION:
MADISON, WI

SHEET TITLE:
TITLE SHEET

SCALE: NONE

PROJECT NUMBER 50413
SHEET NUMBER T-1

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Printed by: cdawson on Sep 14, 2023 - 8:16am
DRAWN BY: CWD CHECKED BY: KAH

I:\50400\50413 - SC Swiderski - Felland & Lien Masterplan - Madison, WI\03. DRAWINGS\CAD\Civil\Plan Commission Drawings\50413 Title Sheet.dwg

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DRAWN BY: CWD CHECKED BY: KAH

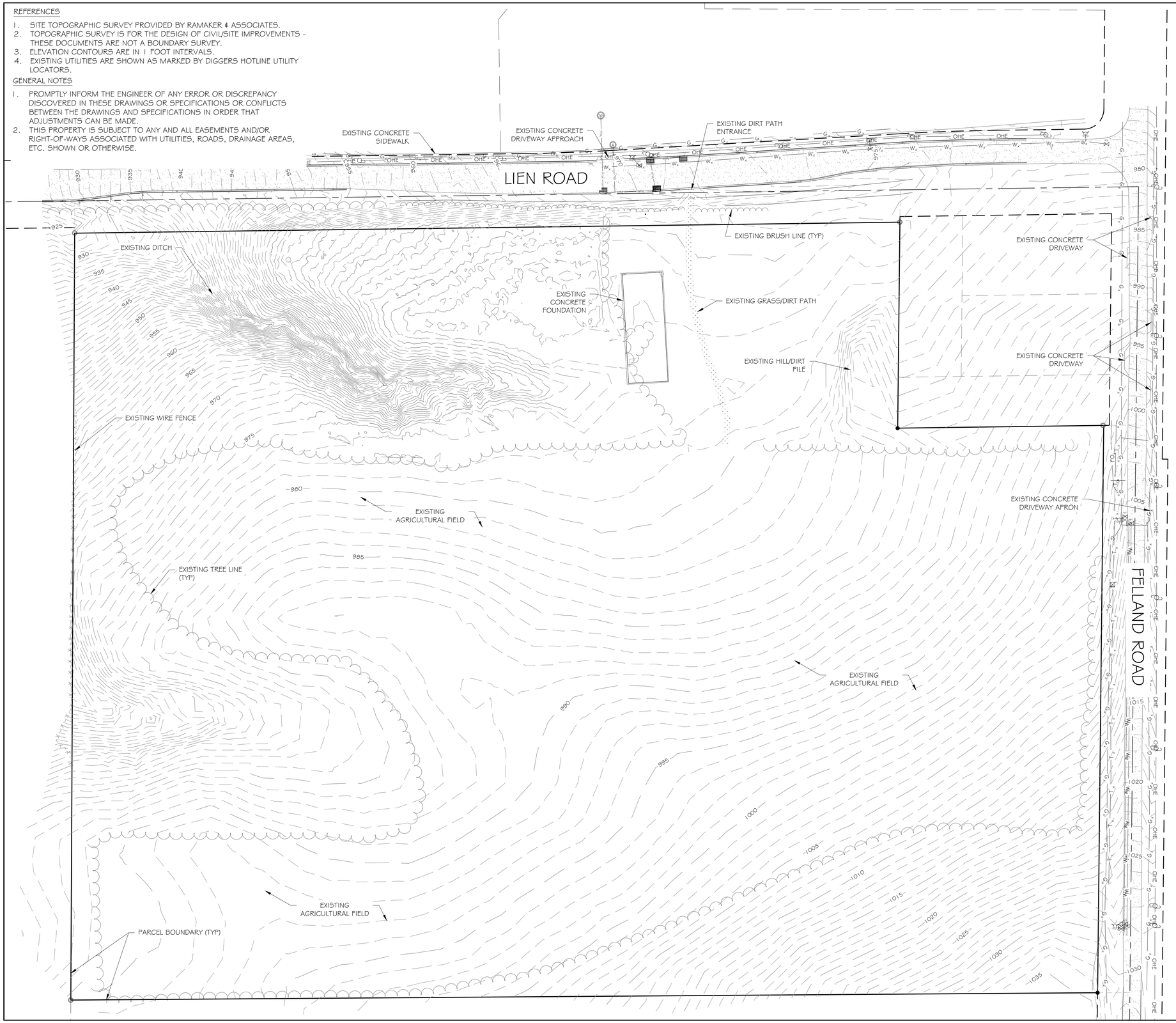
C:\Users\cdawson\appdata\local\temp\AcPublish_73\G50413 Existing Conditions.dwg Printed by: cdawson on Sep 15, 2023 - 12:02am

REFERENCES

1. SITE TOPOGRAPHIC SURVEY PROVIDED BY RAMAKER & ASSOCIATES.
2. TOPOGRAPHIC SURVEY IS FOR THE DESIGN OF CIVIL/SITE IMPROVEMENTS - THESE DOCUMENTS ARE NOT A BOUNDARY SURVEY.
3. ELEVATION CONTOURS ARE IN 1 FOOT INTERVALS.
4. EXISTING UTILITIES ARE SHOWN AS MARKED BY DIGGERS HOTLINE UTILITY LOCATORS.

GENERAL NOTES

1. PROMPTLY INFORM THE ENGINEER OF ANY ERROR OR DISCREPANCY DISCOVERED IN THESE DRAWINGS OR SPECIFICATIONS OR CONFLICTS BETWEEN THE DRAWINGS AND SPECIFICATIONS IN ORDER THAT ADJUSTMENTS CAN BE MADE.
2. THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS AND/OR RIGHT-OF-WAYS ASSOCIATED WITH UTILITIES, ROADS, DRAINAGE AREAS, ETC. SHOWN OR OTHERWISE.



LEGEND

- EXISTING PROPERTY CORNER
- GUY ANCHOR
- EXISTING MINOR CONTOURS
- EXISTING MAJOR CONTOURS
- STM$_x$ — EXISTING STORM SEWER
- SS$_x$ — EXISTING SANITARY SEWER
- W$_x$ — EXISTING WATERMAIN
- E$_x$ — EXISTING BURIED ELECTRIC
- OHE — EXISTING OVERHEAD ELECTRIC
- G$_x$ — EXISTING GAS LINE
- T$_x$ — EXISTING TELEPHONE LINE
- FO$_x$ — EXISTING FIBER OPTIC
- EXISTING LOT LINES

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Certification & Seal:

PRELIMINARY
FOR REVIEW PURPOSES ONLY

MARK	DATE	DESCRIPTION

DATE ISSUED: 2023-09-18

ISSUE PHASE: PLAN COMMISSION SUBMITTAL

PROJECT TITLE:
EAST MEADOW ESTATES NEIGHBORHOOD DEVELOPMENT

PROJECT OWNER:
SC SWIDERSKI LLC.

PROJECT LOCATION:
MADISON, WI

SHEET TITLE:
EXISTING CONDITIONS

0 30' 60' 120'
11" x 17" - 1" = 120'
22" x 34" - 1" = 60'

PROJECT NUMBER 50413

SHEET NUMBER C-1

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LIEN ROAD

STORM OUTLOT
0.86 ACRES

CONSERVATION
LANDS
4.63 ACRES

STORM
OUTLOT
0.40 ACRES

3-4 STORIES

3-4 STORIES

3-4 STORIES

2 STORIES
6 UNITS

2 STORIES
6 UNITS

2 STORIES
4 UNITS

2 STORIES
6 UNITS

2 STORIES
4 UNITS

WILDFLOWER LANE

FERN MEADOW DRIVE

FELLAND ROAD

SWEET CLOVER STREET

2 STORIES
6 UNITS

2 STORIES
6 UNITS

2 STORIES
6 UNITS

2 STORIES
6 UNITS

2 STORIES
6 UNITS

2 STORIES
6 UNITS

2 STORIES
7 UNITS

2 STORIES
4 UNITS

2 STORIES
4 UNITS

STORM OUTLOT
0.52 ACRES

LAVENDER LANE

PUBLIC PARK
0.62 ACRES

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DATE ISSUED: 2023-09-18

ISSUE PHASE: PLAN COMMISSION SUBMITTAL

PROJECT TITLE:
EAST MEADOW ESTATES NEIGHBORHOOD DEVELOPMENT

PROJECT OWNER:
SC SWIDERSKI LLC.

PROJECT LOCATION:
MADISON, WI

SHEET TITLE:
PROPOSED SITE PLAN

0 30' 60' 120'
11" x 17" - 1" = 120'
22" x 34" - 1" = 60'

PROJECT NUMBER 50413

SHEET NUMBER C-2

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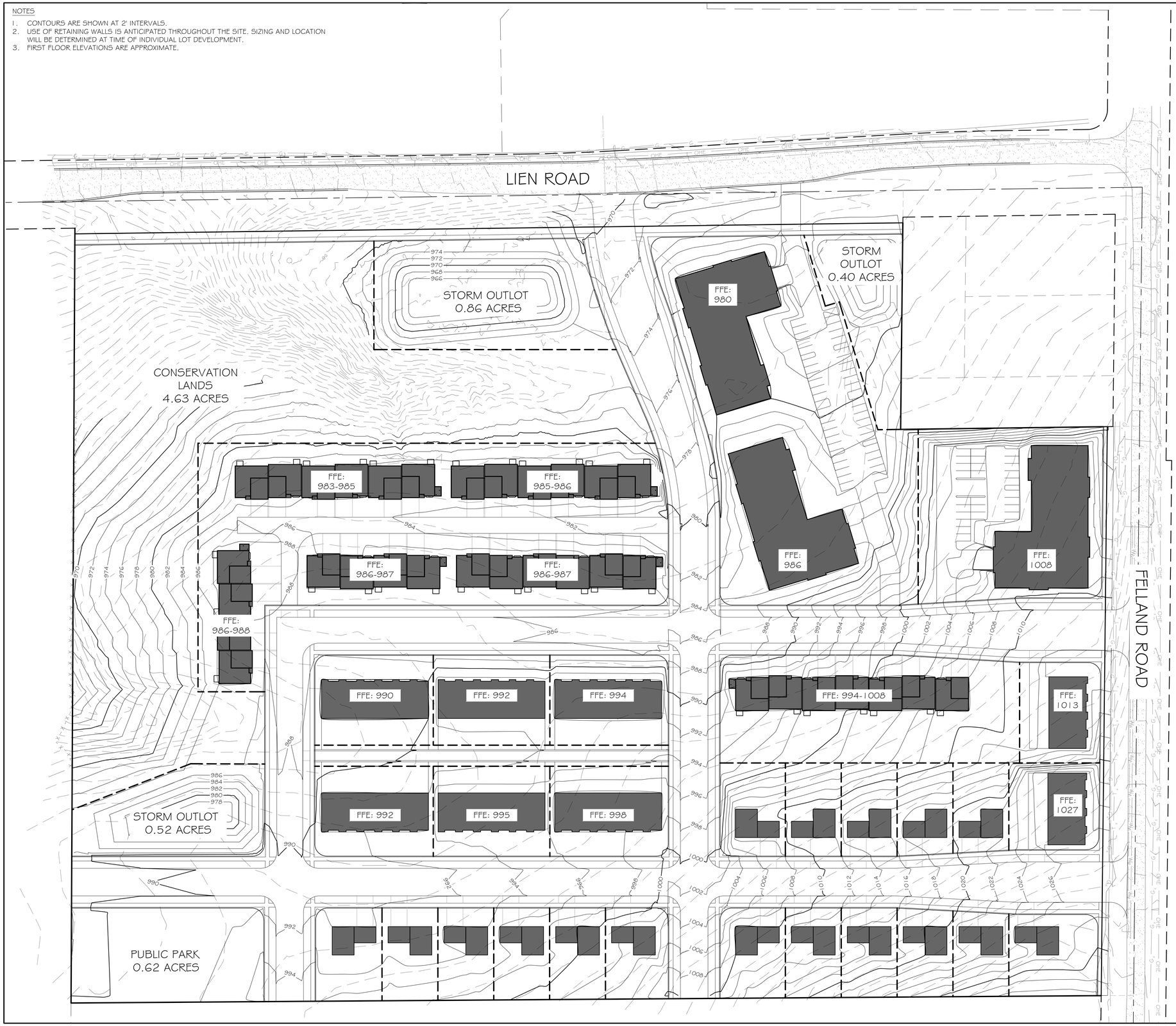
NOTES

1. CONTOURS ARE SHOWN AT 2' INTERVALS.
2. USE OF RETAINING WALLS IS ANTICIPATED THROUGHOUT THE SITE. SIZING AND LOCATION WILL BE DETERMINED AT TIME OF INDIVIDUAL LOT DEVELOPMENT.
3. FIRST FLOOR ELEVATIONS ARE APPROXIMATE.



LEGEND

- EXISTING PROPERTY CORNER
- EXISTING MINOR CONTOURS
- EXISTING MAJOR CONTOURS
- PROPOSED MAJOR CONTOURS
- PROPOSED MINOR CONTOURS
- EXISTING LOT LINES

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PROJECT TITLE:
EAST MEADOW ESTATES NEIGHBORHOOD DEVELOPMENT

PROJECT OWNER:
SC SWIDERSKI LLC.

PROJECT LOCATION:
MADISON, WI

SHEET TITLE:
PRELIMINARY GRADING PLAN

0 30' 60' 120'
11" x 17" - 1" = 120'
22" x 34" - 1" = 60'

PROJECT NUMBER 50413
SHEET NUMBER C-3

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Lot	Zoning	Area (SF)	Dwelling Units	Area (SF)/DU	Lot Coverage SF	Lot Coverage %
1	TR-P	124272	26	4780	72043	58%
2	TR-P	102605	90	1140	51998	51%
3	TR-P	48123	47	1024	28985	60%
4	TR-P	16186	6	2698	10533	65%
5	TR-P	15984	6	2664	10533	66%
6	TR-P	16186	6	2698	10533	65%
7	TR-P	48444	7	6921	16073	33%
8	TR-P	12280	4	3070	6617	54%
9	TR-P	16186	6	2698	10533	65%
10	TR-P	15984	6	2664	10533	66%
11	TR-P	16186	6	2698	10533	65%
12	TR-P	9229	1	9229	1945	21%
13	TR-P	7941	1	7941	1945	24%
14	TR-P	7941	1	7941	1945	24%
15	TR-P	7806	1	7806	1920	25%
16	TR-P	7552	1	7552	1847	24%
17	TR-P	11901	4	2975	6386	54%
18	TR-P	9368	1	9368	1945	21%
19	TR-P	7889	1	7889	1945	25%
20	TR-P	7855	1	7855	1945	25%
21	TR-P	7821	1	7821	1945	25%
22	TR-P	7787	1	7787	1945	25%
23	TR-P	8661	1	8661	1945	22%
24	TR-P	8925	1	8925	1945	22%
25	TR-P	7644	1	7644	1945	25%
26	TR-P	7610	1	7610	1945	26%
27	TR-P	7441	1	7441	1920	26%
28	TR-P	7153	1	7153	1847	26%

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PROJECT TITLE:
EAST MEADOW ESTATES NEIGHBORHOOD DEVELOPMENT

PROJECT OWNER:
SC SWIDERSKI LLC.

PROJECT LOCATION:
MADISON, WI

SHEET TITLE:
PROPOSED ZONING EXHIBIT

0 30' 60' 120'
11" x 17" - 1" = 120'
22" x 34" - 1" = 60'

PROJECT NUMBER 50413
SHEET NUMBER C-4

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I:\50400\50413 - SC Swiderski - Felland & Lien Masterplan - Madison, WI\03. DRAWINGS\CAD\Civil\Plan Commission Drawings\50413 Proposed Zoning Exhibit.dwg Printed by: cdawson on Sep 15, 2023 - 9:45 am CWD CHECKED BY: KAH
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LIEN ROAD

80' PROPOSED R.O.W

105' PROPOSED R.O.W

STORM OUTLOT 0.86 ACRES

STORM OUTLOT 0.40 ACRES

62' PROPOSED R.O.W

WILDFLOWER LANE

FELLAND ROAD

80' PROPOSED R.O.W

62' PROPOSED R.O.W

SWEET CLOVER STREET

26' PROPOSED R.O.W

85' PROPOSED RIGHT OF WAY

64' PROPOSED R.O.W

64' PROPOSED R.O.W

80' PROPOSED R.O.W

STORM OUTLOT 0.52 ACRES

LAVENDER LANE

FERN MEADOW DRIVE

64' PROPOSED R.O.W

LEGEND

- PROPOSED RIGHT OF WAY
- ALLEYS
- SHARED USE PATH
- SIDEWALK
- NEIGHBORHOOD YIELD STREETS
- NEIGHBORHOOD STREETS

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DATE ISSUED: 2023-09-18

ISSUE PHASE: PLAN COMMISSION SUBMITTAL

PROJECT TITLE:
EAST MEADOW ESTATES NEIGHBORHOOD DEVELOPMENT

PROJECT OWNER:
SC SWIDERSKI LLC.

PROJECT LOCATION:
MADISON, WI

SHEET TITLE:
PROPOSED TRANSPORTATION PLAN

0 30' 60' 120'
11" x 17" - 1" = 120'
22" x 34" - 1" = 60'

PROJECT NUMBER 50413

SHEET NUMBER C-5

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LIEN ROAD

STORM OUTLOT
0.86 ACRES

STORM
OUTLOT
0.40 ACRES

WILDFLOWER LANE

SWEET CLOVER STREET

FERN MEADOW DRIVE

FELLAND ROAD

STORM OUTLOT
0.52 ACRES

LAVENDER LANE

~0.59 ACRE PARK SPACE

LEGEND

- SAN — PROPOSED SANITARY SEWER
- W — PROPOSED WATER
- STM — PROPOSED STORM SEWER
- SS — EXISTING SANITARY SEWER
- W — EXISTING WATERMAIN
- STM — EXISTING STORM SEWER

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PROJECT TITLE:
EAST MEADOW ESTATES NEIGHBORHOOD DEVELOPMENT

PROJECT OWNER:
SC SWIDERSKI LLC.

PROJECT LOCATION:
MADISON, WI

SHEET TITLE:
UTILITY PLAN

0 30' 60' 120'
11" x 17" - 1" = 120'
22" x 34" - 1" = 60'

PROJECT NUMBER 50413
SHEET NUMBER C-6

TR-P Requirements

- 3 residential housing types (Single-family Detached and Street Accessed, Single-family Detached and Alley Accessed, Two-family and single-family Attached, Multi-family).
- A minimum of ten percent (10%) of the units on the site shall be in two-family, attached or multi-family residential dwelling types.
- All units within ¼ mile of existing or planned public & open spaces.

TR-P Site Design Standards

Open Space
The neighborhood will be served by a park that will include potential community gardens. The neighborhood is further served by a conservancy parcel along Lien Road.

Public Park Space:	The neighborhood will dedicate 0.62 acres of land to a neighborhood park intended to grow as the surrounding lands develop.
Stormwater:	The stormwater system provides conveyance, storage, and infiltration throughout the neighborhood. The proposed infrastructure mitigates stormwater runoff from the neighborhood development while also addressing stormwater quality requirements.
Conservancy:	Outlot 1 is proposed to be rezoned as Conservancy, adjacent to the overall TR-P zoning of the proposed neighborhood.

Street Layout
The neighborhood is served by a grid of neighborhood scaled streets, sidewalks, and off-street connections, including the extension of a multi-use path network along Felland Road. Street layouts maximize connectivity, except where environmental or physical constraints make this infeasible.

Setbacks
Building setbacks within the neighborhood will adhere to the TR-P Zoning District standards.

Building Design
Building design within the neighborhood will go through a review process with a neighborhood Architectural Review Committee (ARC) or similar review body. The ARC will be responsible for providing guidance that leads to the creation of architectural diversity throughout the neighborhood. Review criteria will include site plan/landscape plan configurations, building massing & composition, orientation of windows and entries, doors and other elements of the façade, and primary façade materials and colors. All residential buildings shall conform with the City of Madison Zoning Code's Building Form Standards for Residential Building Forms (Section 28.172).

Dimensional Standards

Building placement will meet the dimensional standards as described in the TR-P Zoning District for the Single-family detached, Two-family and single-family attached, and Residential Building Complex standards.

Height

- No single-family or two-family residence shall exceed three stories in height or 35'.
- Multifamily buildings and buildings within a residential shall not exceed four stories in height or 52'.
- Exposed basements shall not constitute a story.

Entryways and Frontages

Orientation of entries and windows shall generally front onto adjoining streets. Multifamily buildings shall hold a majority of the street frontage with buildings and will meet the requirements of 28.031 (4) and (5) General Provisions for Residential Buildings Parking locations.

Materials

Permitted building finish materials for the primary façade include:

- Brick
- Natural stone or simulated cut stone
- Finished (textured and painted) concrete
- Finished (textured) pre-cast concrete panels
- Architectural block (textured) and Exterior Insulated Finish System (EFIS)
- Clapboard siding
- Cement board siding, composition siding, and vinyl siding
- Half-timbering
- Board and batten siding
- Wood, composition, vinyl, or cement shingle siding

PLANNING DIVISION STAFF REPORT

November 13, 2023

PREPARED FOR THE PLAN COMMISSION

Project Address: **5803 Lien Road**

Application Type: Zoning Map Amendment and Preliminary Plat

Legistar File ID # 80331 and 79968

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

Summary

Applicant & Property Owner: Joleen Specht, SC Swiderski Land Co., LLC; 401 Ranger Street; Mosinee, Wisconsin.

Surveyor & Contact Person: Katie Halverson, Ramaker & Associates; 855 Community Drive; Sauk City.

Requested Actions: Approval of a request to rezone 5803 Lien Road from Temporary A (Agricultural District) to TR-P (Traditional Residential–Planned District); and approving the preliminary plat of *East Meadow Estates*, creating 18 single-family lots, 11 lots for future multi-family development, and 6 outlots to be dedicated for public stormwater management, parkland, and conservancy.

Proposal Summary: The plat of *East Meadow Estates* proposes to subdivide an undeveloped 26.42-acre parcel located in the southwestern quadrant of the Lien Road–Felland Road intersection into 18 lots for future single-family detached residences and 11 lots to be developed in the future with a variety of multi-family uses. The preliminary plat also proposes six outlots for public stormwater management, parkland, and a public alley. The applicant hopes to begin construction of the subdivision in August 2024 following approval and recording of a final plat, with completion anticipated by the end of 2026.

Applicable Regulations & Standards: Section 28.182 of the Zoning Code provides the process for zoning map amendments. The requirements and process for the TR-P zoning district are outlined in Section 28.053 of the Zoning Code, a summary of which may be found in Appendix A at the end of this report. The subdivision process is outlined in Section 16.23(4)(b) of the Subdivision Regulations.

Review Required By: Plan Commission and Common Council.

Summary Recommendation: The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00648, rezoning 5803 Lien Road from Temp. A to TR-P, and the preliminary plat of *East Meadow Estates* to the Common Council with recommendations of **approval** subject to input at the public hearing and the conditions from reviewing agencies beginning on page 7.

Background Information

Parcel Location: Approximately 26.4 acres of land generally located in the southwestern quadrant of Lien Road and Felland Road; Alder District 17 (Madison); Sun Prairie Area School District.

Existing Conditions and Land Use: Undeveloped land, zoned Temporary A (Agricultural District).

Surrounding Land Uses and Zoning:

North: Single- and two-family residences in the Village at Autumn Lake subdivision across Lien Road, zoned TR-P (Traditional Residential–Planned District);

South: Single-family residences and undeveloped land in the Town of Burke; City of Madison Water Utility reservoir, zoned A (Agricultural District);

West: Undeveloped land in the Town of Burke; and

East: Single-family residences and undeveloped land in the Town of Burke.

Adopted Land Use Plan: The 2009 Northeast Neighborhoods Development Plan recommends the subject site for a variety of primarily residential uses. Beginning in the northeastern quadrant of the site, the neighborhood development plan recommends Residential Housing Mix (HM) 3, with a 'Potential Mixed-Use' overlay. Moving southwest, the center of the site is recommended for HM2, which transitions to HM1 along the southern property line. A portion of a future neighborhood public park is planned for the southwestern corner of the property, with land in the northwestern quadrant of the site recommended for other open space and stormwater management.

The land use polygons for the site in the neighborhood development plan are generally reflected on the future land use maps in the 2018 Comprehensive Plan, which recommends Medium Residential (MR), Low-Medium Residential (LMR), Low Residential (LR), and Park and Open Space (P), respectively, from northeast to southwest.

Zoning Summary: The site will be zoned TR-P (Traditional Residential–Planned District). Refer to Appendix B at the end of this report for a summary of the requirements of those districts and the proposed subdivision's compliance with the district.

Environmental Corridor Status: The lands recommended in the neighborhood development plan for park, open space and stormwater management are located in a mapped environmental corridor.

Public Utilities and Services: The site will be served by a full range of urban services as it develops, with the exception of Metro Transit service. The closest bus stop with scheduled bus service is approximately one mile walking distance to the west, at the intersection of N Thompson Drive and Lien Road. The parcels will be greater than the three-quarter mile regulatory distance from all-day scheduled service for passengers who might be eligible for door-to-door paratransit service.

Project Description

The applicant and property owner, SC Swiderski Land Co., LLC, is requesting approval of a request to rezone an undeveloped 26.4-acre parcel located at 5803 Lien Road to the TR-P (Traditional Residential–Planned) zoning district as well as approval of a preliminary plat of *East Meadow Estates* to create 18 single-family lots and 11 lots for future multi-family development. The subject property was attached to the City of Madison from the Town of Burke effective June 27, 2022 following approval by the Common Council on June 21, 2022.

The subject site is characterized by considerable grade that falls approximately 110 feet from the southeastern corner to the northwest and a ditch near Lien Road. The center of the site is under tillage, while the northwestern and southwestern corners of the site are wooded.

Access to the proposed subdivision will be provided by two east-west local streets that will extend into the site from Felland Road ("Wildflower Lane" and "Lavender Lane"), and by a north-south local street ("Fern Meadow Drive") to extend from Lien Road across the site. The TR-P master plan for Lots 2 and 3 in the northeastern corner of the site to be developed with a total of three future multi-family dwellings containing approximately 137 units. The preliminary site plan for the two lots suggests that parking for the three buildings will be provided by a combination of surface and structured parking facilities. Across Fern Meadow Drive, the plan calls for Lot 1 to be developed with 26 townhouse units to be located in five four- or six-unit buildings. The TR-P master plan indicates that Lots 4-6 and 9-11 will each be developed with six units. Attached dwelling units will also be developed on Lots 7, 8 and 17, with the units on the latter two lots to be oriented towards Felland Road. Lots 12-16 and 18-29 will be developed with single-family detached residences.

In addition to the various residential lots proposed, the *East Meadow Estates* preliminary plat proposes to create four outlots to be dedicated for stormwater management (Outlots 1-4), a 0.63-acre Outlot 5, which will be dedicated for public parkland, and an outlot for a public mid-block alley to provide access to the rear of Lots 4-6 and 9-11 (Outlot 6).

Analysis

Consistency with Adopted Plans

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." By extension, the Comprehensive Plan encourages consistency with adopted neighborhood and other sub-area plans, which are adopted as supplements to the Comprehensive Plan.

The Northeast Neighborhoods Development Plan (NENDP) was adopted in 2009 to guide development of the future City of Madison generally bounded by Lien Road on the north, Interstate 39/90/94 on the west, Interstate 94 on the south, and Thorson Road/ CTH T on the east. The NENDP primarily recommends that the subject site be developed with a variety of residential land uses decreasing in density from the corner of Lien and Felland Roads to the south and west, with most of the remainder of the site recommended for open space and stormwater management.

Beginning in the northeastern corner of the site (and including four unrelated parcels still in the Town of Burke at the road intersection), the neighborhood development plan calls for Residential Housing Mix (HM) 3, which is the second densest of residential category recommended by the plan. HM3 is recommended to encourage higher residential densities at locations closest to land recommended for mixed-use or employment and to provide a transition zone between the smaller-scale, lower-density development recommended in the HM2 and higher density development recommended in HM4 and the mixed-use areas. Parking should be provided behind or beneath buildings, which may be up to three stories in height, but the height considered appropriate on a specific property will partly depend on the size and scale of surrounding developments. In general, an "urban" rather than "suburban" design and architecture is recommended. An average net density of up to 40 units per acre is recommended for individual developments in the HM3 category.

This HM3 area is also identified overlaid on the land use plan for 'Potential Mixed-Use.' Several areas are shown in the NENDP as potential mixed-use areas in addition to having an underlying recommended land use due to their

location at prominent intersections and/or where mixed-use development might be feasible to increase convenience for nearby residents. The plan notes that these areas will be evaluated further as the planning area develops, and while the sites are identified for possible mixed-use, zoning for the development of mixed-use is not required.

HM2 is recommended in numerous locations within the neighborhood development plan, including through the center of the subject site. Development in HM2 is intended to occur in a variety of unit types at a higher density than HM1, with opportunities for both ownership and rental provided; large areas of one housing unit types should be avoided. A range of building types is recommended for HM 2, including single-family residences on small lots, two-family residences, townhouses/ rowhouses, and small apartment buildings (up to 12 units). The average density in HM2 should be in the 8 to 15 units per acre. Buildings should be up to two stories tall in HM2.

HM1 is the lowest intensity residential land use category recommended by the NENDP and covers most of the developable residential areas in the planning area, including the southeastern portion of the subject site. It is recommended that development in HM1 include single-family housing in a range of house types and lot sizes, but HM1 may also include two-family residences and townhouses/ rowhouses at some locations. The average density in HM1 should not exceed 8 units per acre.

The wooded slope in the northwestern quadrant of the site is recommended for open space and stormwater management. Additionally, the southwestern corner of the site is recommended to be part of a larger future park that will also be implemented on two adjacent parcels to the south and west when they develop.

The land use polygons for the site in the Northeast Neighborhoods Development Plan are generally reflected on the future land use maps in the 2018 Comprehensive Plan, which recommends Medium Residential (MR), Low-Medium Residential (LMR), Low Residential (LR), and Park and Open Space (P), respectively, from northeast to southwest.

The Planning Division believes the Plan Commission can find that the proposed TR-P master plan and *East Meadow Estates* preliminary plat are generally consistent with the plan recommendations summarized above. The layout of the subdivision follows the development pattern recommended for the site in the NENDP, including the planned street pattern, and the proposed residential uses are generally consistent with the three residential categories recommended for the site, though the densities of some of the proposed lots are more in line with the denser density recommendations in the Comprehensive Plan than the density recommendations in the NENDP. While the public park on Outlot 5 in the southwestern corner of the site is consistent with the planned location of a multi-parcel future park, Parks Division staff has cautioned that little or nothing will be done with that outlot until the additional land for the park is dedicated when the adjacent parcels develop.

One area that will require further consideration in the future at the time of development are the planned three- to four-story buildings on Lots 2 and 3. As noted above, HM3 allows for up to three-story buildings with a caveat that the size and scale of surrounding developments is a factor in determining the appropriate height. While the proposed TR-P zoning allows up to four-story, 52-foot tall buildings, the scale of the adjacent residences and the grade of those lots will determine whether a taller than three-story building is appropriate. Multi-family dwellings are a permitted use in the TR-P district; staff recommends that the master plan adopted with the zoning limit the height of the future building on Lot 3 to three stories. As shown, the two buildings on Lot 2 constitute a residential building complex requiring approval of a conditional use by the Plan Commission, at which time the height of those buildings may be more carefully considered.

Consistency with the TR-P Zoning District

The Traditional Residential–Planned District was established to encourage the development of new traditional neighborhoods in close-in or outlying parts of the City that incorporate the characteristics of existing traditional neighborhoods. Features include a variety of lot sizes and integrated housing types, detached or alley-loaded garages, traditional architectural features such as porches, an interconnected street system and the creation of a high-quality public realm. The standards for approval of TR-P master plans require that the plan is consistent with the recommendations of the Comprehensive Plan and any adopted neighborhood plan, contain a highly connective circulation pattern and shall be conducive to multiple forms of transportation, and include a variety of integrated residential dwelling unit types.

Development sites or projects within the TR-P District that are 10 acres or more in size or that include 50 or more dwelling units are required to incorporate a minimum of three residential building types, with a minimum of 10% of the units on the site to be two-family, attached, or multi-family residential dwelling types. All residential lots shall be located within one-quarter mile of existing or planned public or common open space. A master plan for a TR-P district shall be reviewed as part of the zoning map amendment and subdivision plat. The plan is required to specify the orientation of buildings in relation to all streets, the yards and building setbacks for each developable lot, a phasing plan for the implementation of the master planned development, building design standards for the proposed development recorded in the covenants, conditions and restrictions for the subdivision, including the massing and composition of structures, orientation of windows and entries; doors and other elements of the facade, and primary facade materials and colors and the creation of an architectural review committee or similar review body.

Planning and Zoning staff have reviewed the TR-P master plan submitted to guide the development of the *East Meadow Estates* subdivision and feel that it can generally meet the requirements outlined in Section 28.053 of the Zoning Code. The plan incorporates at least three types of housing, contains a highly connective circulation pattern, and the housing proposed is generally consistent with the types and densities of housing recommended for the site in adopted plans. However, as part of the approval of the final plat of the subdivision, staff believes that additional information needs to be added to the plan that addresses the orientation of buildings in relation to all streets, a phasing plan, and building design standards for the proposed development that include the massing and composition of structures, orientation of windows and entries, doors and other elements of the facade, and primary facade materials. The final approved TR-P master plan will serve as the implementation guide that will be used as zoning and building permit approvals are sought for individual lots in the overall subdivision.

Subdivision Design

The *East Meadow Estates* preliminary plat was submitted following the repeal and recreation of Section 16.23 of Madison General Ordinances by the Common Council on July 25, 2023 (Ordinance 23-00075 (ID 78130) and will therefore be reviewed using the amended regulations, including for consistency with the Complete Green Streets Guide. This preliminary plat will be the first subdivision reviewed by the Plan Commission using the new Subdivision Regulations.

The adopted Complete Green Streets Guide incorporates a more nuanced, equity-based approach to the design of streets that prioritizes pedestrians, transit, and bicycles over motor vehicles and parking compared to how streets have been designed since about 1950. The Guide intends to design and operate the entire right of way to prioritize safety, connectivity for people traveling whether they are walking, taking transit, biking, or driving, and to ensure the green infrastructure needs of the City. The Guide identifies 11 street types and specifies for each

(see pages 58-61 of the Guide) the minimum and preferred walkway width; minimum and preferred "flex zone" width (including curb, gutter, terrace, and on-street parking (if present)); minimum, maximum, and preferred travel way width (including for a typical two-way street all travel lanes, transit lanes, on-street bike lanes, center turn lanes, and medians, but not on-street parking); and the minimum and maximum width of the overall right of way. The design parameters for each street type includes a "typical average daily trips (ADT)," which informs how new streets are determined. The 11 street types have been incorporated into the amended Subdivision Regulations, which defer to the Guide for the implementation of those streets when proposed in a new subdivision or land division.

The four streets proposed in the subdivision are planned as either neighborhood streets or neighborhood yield streets, with 64-foot and 62-foot rights of way and 20-foot and 16-foot typical travel way widths, respectively. Neighborhood streets may have a maximum travel way width of 22 feet, per the guide. Staff believes that the proposed rights of way planned for the subdivision can meet the criteria for the respective streets in the Complete Green Streets Guide, although the streets could be standardized to 64-foot neighborhood streets to provide the most flexibility as the subdivision is implemented.

Staff will note, however, that development on Lot 2 will need to meet the aerial apparatus lanes/roads required by MGO Section 34.503 and International Fire Code (IFC) Appendix D105 (adopted by reference) for buildings planned to be taller than 30 feet in height. In those cases, the MGO and IFC generally require a minimum unobstructed aerial apparatus lane/road that is 26 feet wide and located not less than 15 feet and not more than 30 feet from two sides or the equivalent of 25% of the exterior walls of the building. Any buildings unable to provide the required aerial apparatus lane would be required to obtain variances from the Board of Building Code, Fire Code, Conveyance Code and Licensing Appeals prior to the issuance of building permits.

Conclusion

The applicant and property owner are requesting approval of a request to rezone an undeveloped 26.4-acre parcel located at 5803 Lien Road to the TR-P (Traditional Residential–Planned) zoning district as well as approval of the preliminary plat of *East Meadow Estates*. Staff has reviewed the master plan and preliminary plat for the subdivision and believes that it is generally consistent with the land uses and development pattern recommended for the site in the Northeast Neighborhoods Development Plan and Comprehensive Plan. The streets in the proposed plat also appear to comply with the applicable street types in the Complete Green Streets Guide.

Moving forward, additional information is required prior to final approval of the TR-P master plan, which staff proposes be considered at the time that the final plat for the subdivision is submitted for Plan Commission approval to address the items that staff has identified are deficient in the materials submitted with the proposed zoning map amendment.

Recommendation

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

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00648, rezoning 5803 Lien Road from Temp. A to TR-P, and the preliminary plat of *East Meadow Estates* to the Common

Council with recommendations of **approval** subject to input at the public hearing and the conditions from reviewing agencies that follow:

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

Planning Division

1. The preliminary plat shall revised to include all of the information required by MGO Section 16.23(5)(a). Submit a revised and comprehensive preliminary plat of the proposed subdivision with the first final plat.

2. That a revised TR-P master plan be submitted for approval by the Plan Commission with the final plat of the subdivision that addresses the orientation of buildings in relation to all streets, a phasing plan, and building design standards for the proposed development that include the massing and composition of structures, orientation of windows and entries, doors and other elements of the facade, and primary facade materials. The TR-P master plan shall include all of the information required by Section 28.053 of the Zoning Code and apply to all of the lots and outlots shown on the East Meadow Estates subdivision.

3. The master plan graphics shall be revised to indicate that the entire site is zoned TR-P consistent with the legal description submitted with this zoning map amendment.

4. The TR-P master plan shall be revised to show a maximum height of three stories for Lot 3 consistent with the height recommendations for the Residential Housing Mix (HM) 3 category in the Northeast Neighborhoods Development Plan.

5. Note: The developer may opt to standardize the width of all of the streets in the subdivision to 64 feet consistent with the neighborhood street type in the Complete Green Streets Guide at the time the final plat is submitted for approval.

6. That the applicant work with the Planning Division and Capital Area Regional Planning Commission to revise the environmental corridor map to reflect the changes to the mapped corridor proposed by the development prior to final approval and recording of the final plat.

The following conditions of approval have been submitted by reviewing agencies:

City Engineering Division (Contact Brenda Stanley, (608) 261-9127)

7. 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).

8. Outlot 3 is shown as public stormwater management. However, the applicant is notified that this outlot will not be accepted by the Stormwater Utility as public.

9. The developer shall enter into a City/Developer agreement for the required infrastructure improvements. The agreement shall be executed prior to sign-off of the final plat. Allow 4-6 weeks to obtain agreement. Contact the City Engineering Division to schedule thedevelopment and approval of the plans and the agreement.

10. Construct Madison standard street, multi-use path, and sidewalk improvements for all streets within the plat.

11. Construct sidewalk/path, terrace, curb and gutter, and up to 14 feet of pavement along Felland Road and Lien Road to a plan approved by City Engineer.

12. Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.

13. This development is subject to impact fees for the Felland Road Neighborhood Sanitary Sewer Improvement Impact Fee District. All impact fees are due and payable at the time building permits are issued. Add the following note on the face of the plat: "Lots / buildings within this development are subject to impact fees that are due and payable at the time building permit(s) are issued."

14. 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) toobtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering Division sign-off.

15. An Erosion Control Permit is required for this project.

16. A Storm Water Management Report and Storm Water Management Permit is required for this project.

17. A Storm Water Maintenance Agreement (SWMA) is required for this project.

18. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 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. 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 Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.

19. 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 nine (9) feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.

20. Confirm that adequate sight distance exists where 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 mitigating improvements as required by the City. Caution: The improvements indicated may require right of way outside of the plat limits.

21. Provide calculations for the 100-year storm event, as identified in MGO Chapter 37, as part of the plat design and stormwater management plan. The flows from this design storm event will be routed through the development and the flood extents shall be limited to the public right of way.

22. Provide calculations for the 500-year storm event, as identified in MGO Chapter 37, as part of the plat design and stormwater management plan. The flows from this design storm event will be routed through the development and used to determine an anticipated safe top of concrete foundation elevation for future buildings in critical areas.

23. Submit proposed lot corner grades with the stormwater management plan as these two items must be reviewed together to properly determine stormwater overflow conditions. Prior to the issuance of building permits, submit a master stormwater drainage plan with final as-built lot corner grades. These grades may be modified from the originally proposed grades provided they continue to meet design tolerances. No building permits shall be issued prior to City Engineering's final approval of this plan.

24. This project will disturb 20,000 square feet or more of land area and require an Erosion Control Plan. Please submit an11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.

25. Demonstrate compliance with MGO Section 37.07 and 37.08 regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction periodwith the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.

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

27. 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. 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. (POLICY and MGO 37.09(2))

    Detain the 2-, 5-, 10-, 100-, and 200-year storm events, matching post-development rates to pre-development rates and using the design storms identified in MGO Chapter 37.

    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.

If the plat or subdivision has an enclosed area with provides existing storage, the existing storage will need to be accounted for in addition to meeting the requirements for detention.

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

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

Reduce TSS by 40% (control the 20-micron particle) off of new paved surfaces as compared to no controls.

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

Treat the first half-inch of runoff over the proposed parking facility and/or drive up window.

Provide onsite volumetric control limiting the post construction volumetric discharge to the predevelopment discharge volume as calculated using the 10-year storm event.

Provide substantial thermal control to reduce runoff temperature in cold water community or trout stream watersheds.

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 BMP used to meet stormwater management requirements on this project.

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

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

29. There may be off site channel and/or storm sewer improvements necessary to adequately convey storm water downstream to the west toward the existing 54-inch pipe with this development. The developer shall acquire the right of way and/or easements as required by the City at the developer's expense. In the event that the developer is unable to acquire any required right of way and/or easements, the City can proceed to acquire the easements as a last resort. The developer shall reimburse the City for all costs associated with the acquisition, including attorney's fees and any and all costs associated with court ordered awards. The developer shall provide a deposit at the time of contract execution to cover the estimated City staff expenses and easement cost for the acquisition. The developer shall note that separate, additional surety in an amount estimated to cover any potential court ordered awards shall be retained by the City until such time as appeal rights have expired. The additional surety shall be provided prior to the City making an offer for the easement.

30. Outlot 3 will not be accepted as a public outlot for stormwater management as it only handles private storm water. When the lots are developed, provide necessary easements / agreements for the lots served by the outlot prior to the future final site plan approval for the development of the affected lots. Agreements shall include terms for the use, construction, maintenance and replacement of the private stormwater improvements.

31. The preliminary plat shall include all of the existing conditions on the same map labeled as the 'Preliminary Plat' as required by MGO Section 16.23(5)(a). The map shall be comprehensive, including all of the required items per the MGO Section 16.23(5)(a). Vertical datum shall be referenced to the NAVD 1988 (1991 adjustment). Provide accurate and recoverable site benchmarks. Provide the location of the nearest public storm sewer pipe that this development will drain to. Provide all pipe sizes and inverts of all public storm and sanitary sewer.

32. The area necessary for dedication along Lien Road and Felland Road shall be confirmed by City Engineering and Traffic Engineering staff prior to final plat sign-off.

33. All required right of way widths shall be confirmed by the City of Madison Traffic Engineer, shown on the preliminary plat, and approved as part of the final plat.

34. 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.

35. As required by Ordinance, provide private Easements or private Outlots to accommodate the current USPS required centralized delivery of mail using Cluster Box Units (CBUs). Coordinate the locations of the CBUs with the USPS Development Coordinator, City Engineering and City Traffic Engineering Staff and in accordance with the Policies for Cluster Box Units as adopted by the City of Madison Board of Public Works. CBUs serving this land division will not be permitted within any publicly owned or dedicated lands.

    If the Developer is not able to determine the final locations of the CBUs prior to recording the final plat, the final placement of CBUs for each phase of development within this land division shall be determined prior to construction. The locations for each phase shall as required by Ordinance, in accordance with the Policies for Cluster Box Units as adopted by the City of Madison Board of Public Works and in compliance with United States Postal Service requirements.

    The required CBU documents shall be recorded prior to the start of construction of the public improvements serving any Lot or Outlot. In the instance of land divisions that do not require the construction of public improvements or a contract with the developer, the required approved CBU documents shall be recorded simultaneously with the final approved land division. Construct the CBUs in accordance with the specifications approved by the Board of Public Works.

36. In accordance with Section s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the plat in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. Visit the Dane County Surveyor's Office for current tie sheets and control data that has been provided by the City of Madison.

37. 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.

38. The street names of Fern Meadow Drive and Sweet Clover Street are approved for use. Wildflower Lane and Lavender Lane are duplicate street names and are not approved for use. Submit replacement names to Lori Zenchenko (LZenchenko@cityofmadison.com) for review and approval.

39. Label the total widths of all right of ways. Also, ordinance does not allow for the public alley serving Lots 4-6 and 9-11 to be dedicated as an outlot. It shall be dedicated to the public and labeled as a "Public Alley Right of Way".

40. Lots and outlots must be corrected and consecutively numbered within each block.

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

41. Prior to final sign-off, the applicant shall work with the Traffic Engineering Division's Electrical Section to record the necessary easements for streetlights. Typically, Traffic Engineering requires a 12-foot easement between lots and 6-foot easements on corner lots where streetlights are needed.

42. Public rights of way shall be designed in accordance with current Complete Green Streets Guide.

43. The applicant shall add a note to the Plat stating no driveway shall be constructed that interferes with the orderly operation of the pedestrian walkway. This will require all pedestrian ramps to be constructed separate from driveway entrances; a curb-head of no less than six inches in width shall be constructed between all pedestrian ramps and driveway entrances. This is especially important at 'T' intersections where lot and building layout become critical; to prevent interference with the pedestrian ramp, lots intersecting or adjacent 'T' intersection may require a shared driveway and access.

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

44. Work with Planning and Zoning staff to approve the text for the TR-P Master Plan.

45. Submit a phasing plan for the implementation of the master planned development.

46. Submit a detailed letter of intent for the project that outlines the specific goals and objectives for the master planned development.

Fire Department (Contact Bill Sullivan, (608) 261-9658)

47. The Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D. An upgrade to include a fire sprinkler system shall be offered along with a cost estimate for all initial single- or two-family home sales.

48. All portions of the fire lanes for newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500 feet of at least **two** fire hydrants. Distances are measured along the path traveled by the fire truck as the hose lays off the truck. See MGO Section 34.507 for additional information.

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

49. Note that records indicate deferred water main assessments exist against this parcel. Improvements, which substantially change the use of the property, may require any outstanding deferred assessments to be paid in full prior to proceeding with the proposed improvements (MGO Section 4.081(4)). Please contact Danah Enright of the City of Madison Finance Department to review the status of the deferred water main assessment associated with this property - (608) 266-4008 or denright@cityofmadison.com.

50. The developer shall construct the public water distribution system and services required to serve the proposed subdivision plat per MGO 16.23(9)(d)(3).

51. All public water mains and water service laterals shall be installed by a standard City subdivision contract / City-Developer agreement. Applicant shall contact City Engineering Division to schedule the development of plans and the agreement. See Engineering Division comments for additional information.

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

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

Parks Division (Contact Kathleen Kane, (608) 261-9671)

52. Outlot 5 is described on the plat as "dedicated to the public for park purposes" and is +/- 0.63 acres (27,645 square feet). Depending on final unit counts and as proposed, Outlot 5 is insufficient in size to fully meet the parkland dedication requirements and is well below the minimum size that the Parks Division seeks for dedication parcels (typically 5 acres or more). Park land dedication fees ("fee in lieu") will be due for the proposed development.

53. 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 East Park-Infrastructure Impact Fee district. Please reference ID# 23037 when contacting Parks Division staff about this project.

54. The plat, as currently proposed, includes 18 lots single family lots, 11 lots for future mixed-use development; four outlots for public stormwater management; and one outlot described as dedicated to the public for park purposes. The parkland dedication requirement for a single family / duplex unit is 1,081 square feet and for a multi-family unit is 734 square feet per MGO Sec. 16.23(8)(f) and 20.08(2).

55. Prior to sign off on the final plat, 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.

56. The following note should be included on the final plat: "Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued." The Parks Division shall be required to sign-off on this subdivision.

Forestry Section (Contact Jeffrey Heinecke, (608) 266-4890)

57. As defined by MGO Section 10.10, City Forestry will assess the full cost of the street tree installation to the

adjacent property owner. City Forestry will determine street tree planting sites and tree species type. Street tree planting will be scheduled after there is substantial completion of the new plat development along the street segment.

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

58. The agency reviewed this project and determined a Transportation Demand Management (TDM) Plan is not required at this time. As development progresses in the subdivision, residential uses with 10 or more dwelling units and other applicable uses in MGO Section 16.03 will be subject to TDM Plan review.

Office of Real Estate Services (Contact Jenny Frese, (608) 267-8719)

59. Prior to approval sign-off, the Owner's Certificate(s) on the final plat shall be executed by all parties having an interest in the property, pursuant to Wis. Stats. 236.21(2)(a). 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. The executed original hard stock recordable plat shall be presented at the time of sign-off.

60. 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 mortgages of record are paid off prior to plat approval, a copy of the recorded satisfaction for said mortgage shall be provided prior to sign-off.

61. Under 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), 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.

62. Pursuant to MGO Section 16.23(5)(e)1 and Wis. Stats. 236.21(3), all special assessments levied prior to plat signoff shall be paid in full.

63. Pursuant to MGO Section 16.23(5)(g)(4), provide to the Office of Real Estate Services and the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report and the date when sign-off of the final plat 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.

Appendix A: Tradition Residential–Planned District Requirements

The following excerpts summarize the requirements for residential development in the Traditional Residential-Planned (TR-P) District (Section 28.053) of the Zoning Code:

(1) Statement of Purpose. The TR-P District is established to encourage the development of new traditional neighborhoods in close-in or outlying parts of the City that incorporate the characteristics of existing traditional neighborhoods. Features include a variety of lot sizes and integrated housing types, detached or alley-loaded garages, traditional architectural features such as porches, an interconnected street system and the creation of a high-quality public realm.

A large-scale TR-P development will be designed through a master planning process. Where a TR-P District is developed in conjunction with or in proximity to an existing or planned mixed-use or higher-density district (for example, a Neighborhood Mixed-Use District, Traditional Shopping Street District, or Traditional Residential-Urban District) the TR-P District is also intended to meet the goals of traditional neighborhood development as established by the State of Wisconsin and Dane County. These goals include the following:

a.) Reduce public costs by making more efficient use of infrastructure.
b.) Protect the environment through reduced land consumption, preservation of on-site environmental features, and reduced automobile travel.
c.) Increase public safety and welfare through street design that results in slower driver speeds and reduced accidents, injuries and fatalities.
d.) Promote the reinvestment in existing developed areas.
e.) Foster community through attractive streets and public spaces that create opportunities for encounters and gatherings.

(3) Required Mix of Residential Uses. After the effective date of this ordinance, development sites or projects within the TR-P District that are 10 acres or more in size or that include 50 or more dwelling units shall meet the following standards:

a.) A minimum of 3 residential building types from the following categories shall be included within the site:
    1. Single-family detached dwellings with street-accessed garages.
    2. Single-family detached dwellings with alley-accessed garages.
    3. Two-family and single-family attached buildings.
    4. Accessory dwelling units.
    5. Multi-family dwellings (3 units or more), including senior housing.
    6. Special-needs housing such as community living arrangements and assisted living facilities.
b.) A minimum of ten percent (10%) of the units on the site shall be in two-family, attached or multi-family residential dwelling types.
c.) For infill development, the required mix of residential uses may be satisfied by existing adjacent residential uses within a one-quarter mile radius.
d.) All residential lots shall be located within one-quarter mile of existing or planned public or common open space.

(4) Dimensional Standards, Permitted and Conditional Uses. [See table on pages 2-3 as it applies to this project.]

(5) Site Design Standards.

a.) Open Space. Open space shall be available to the residents of the district for recreational purposes or similar benefit. Land reserved for stormwater management and other required site improvements shall not be applied to this requirement, unless designed as open space that will meet resident needs.
    1. Open space shall be designed to meet the needs of residents of the district and the surrounding neighborhoods to the extent practicable for parks, playgrounds, playing fields, and other recreational facilities.
    2. A diversity of open spaces shall be provided within the TR-P district, including but not limited to community parks, neighborhood squares and commons, and playgrounds.
    3. Open spaces included with the subdivision shall be dispersed throughout the development and walkable from most areas within the subdivision.

4. Land donated for any public purpose, which is accepted by the City, may be credited towards the open space requirement at the discretion of the Common Council.

b.) Street Layout. A TR-P site development plan shall maintain the existing street grid where present and restore the street grid where it has been disrupted. In newly developing areas, streets shall be designed to maximize connectivity, except where environmental or physical constraints make this infeasible. All streets shall terminate at other streets, at public land, or at an environmentally sensitive area, except that local streets may terminate in stub streets when those will be connected to other streets in future phases of the development or adjacent developments.

c.) Street Design. Flexibility in street design may be allowed within a TR-P District in order to create a safe and pleasant environment for residents, emphasizing pedestrian and bicycle circulation.

d.) Non-Residential Uses. Non-residential land uses, including but not limited to schools, places of worship and neighborhood-serving commercial uses located within a subdivision zoned TR-P, shall be designed in a compact fashion and reflect the design of other uses within the master-planned development. Parking for such uses shall be located in the side or rear yards and shall be well screened to preserve the continuity of the public realm.

(6) Submittal Requirements.

a.) After the effective date of this ordinance, a Master Plan shall be required for all TR-P projects that are proposed to be 10 acres or larger in size or those that will include 50 dwelling units or more. All TR-P Master Plans shall include each of the following elements:

1. A map of the proposed development that identifies all of the lots and outlots to be contained in the proposed development and which contains all of the information required for preliminary plats in Sec. 16.23(7)(a), MGO. The map shall identify each of the following items:
   a. The use of each lot or outlot, including any spaces to be dedicated to the public.
   b. The number of dwelling units to be provided on each lot.
   c. The number of floors of all buildings to be constructed on a lot – minimum and maximum.
   d. The orientation of buildings in relation to all streets.
   e. The yards and building setbacks for each developable lot.
   f. Stormwater management, including proposed treatments at the lot, block and subdivision level.
2. A phasing plan for the implementation of the master planned development.
3. Building design standards for the proposed development recorded in the covenants, conditions and restrictions for the subdivision, shall include:
   a. Massing and composition of structures, orientation of windows and entries; doors and other elements of the facade, and primary facade materials and colors.
   b. A process for the application of such building design standards, through an architectural review committee or similar review body.
4. A detailed letter of intent for the project that outlines the specific goals and objectives for the master planned development. Sec. 28.053(6)(b)

b.) Standards for Approval of Master Plans.

1. The proposed TR-P Master Plan shall be consistent with the recommendations of the Comprehensive Plan and any adopted neighborhood plan, including the objectives established for traditional neighborhood development in the Comprehensive Plan.

2. The proposed TR-P Master Plan shall contain a highly connective circulation pattern and shall be conducive to multiple forms of transportation.
3. The proposed master planned development shall include a variety of integrated residential dwelling unit types. Segregation of dwelling unit types shall be avoided.
4. The proposed TR-P Master Plan shall be consistent with the statement of purpose of this section.
5. The TR-P Master Plan shall also comply with all of the requirements for preliminary plats in Section 16.23(5)(c) Madison General Ordinances.

(7) Review Procedures. A Master Plan for a TR-P district will be reviewed as part of the zoning map amendment and subdivision plat.

Appendix B – Proposed Zoning District Requirements

The following bulk/ dimensional requirements apply in the proposed TR-P zoning district:

Requirements	Required: Single-Family Detached	Proposed	Required: Single-Family Attached	Proposed
Lot Area (sq. ft.)	2,900 sq. ft.	Exceeds 2,900 sq. ft.	2,000 sq. ft./unit	Lots 4 – 11; 17
Lot Width	30’	Exceeds 30’	20’	Exceeds 20’
Front Yard Setback	15’	To Be Determined at the Time Of Permitting	15’	To Be Determined at the Time Of Permitting
Maximum Front Yard Setback	30’ or up to 20% greater than block average		30’ or up to 20% greater than block average	
Side Yard Setback	5’		Exterior end walls: 6’	
Reverse Corner Side Yard Setback	8’ (10’ for garage)		8’ (10’ for garage)	
Rear Yard Setback	Street-accessed: 20’ Alley-accessed: 2’		20’	
Usable Open Space	None		None	
Maximum Lot Coverage	75%		90%	
Maximum Building Height	3 stories/35’	TBD	3 stories/40’	TBD

Requirements	Required: Multi-family Dwellings	Proposed
Lot Area (sq. ft.)	600 sq. ft. /unit plus 300 sq. ft. per bedroom greater than 2	Lot 1: 124,272 sq. ft. Lot 2: 102,605 sq. ft. Lot 3: 48,123 sq. ft.
Lot Width	50’	Exceeds 50’
Front Yard Setback	15’	To Be Determined at the Time Of Permitting
Max. Front Yard Setback	30’ or up to 20% greater than block average	
Side Yard Setback	10’	
Reverse Corner Side Yard Setback	12’ (10’ for garage)	
Rear Yard Setback	Street-accessed: 20 Alley-accessed: 2	
Usable Open Space	None	
Maximum Lot Coverage	75%	

Maximum Building Height	4 stories/52’	

Other Critical Zoning Items	
Yes:	Utility Easements
No:	Barrier Free, Urban Design, Wellhead Protection, Floodplain, Landmarks, Waterfront Development
	Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 79969

File ID:	79969	**File Type:**	Resolution	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	PLAN COMMISSION
				File Created Date :	09/20/2023
File Name:	Prelim & Final Plat - Village at Autumn Lake Replat No 8			**Final Action:**	

Title: Approving the preliminary plat and final plat of the *Village at Autumn Lake Replat No. 8* on property addressed as 2012-2208 Wood Sorrel Street, 1901-1937 Firefly Drive, et al. (District 17)

Notes:

Sponsors:	Planning Division	**Effective Date:**	
Attachments:	Locator Maps.pdf, Subdivision Application.pdf, Letter of Intent.pdf, Preliminary Plat.pdf, Final Plat.pdf, Staff Comments.pdf	**Enactment Number:**	
Author:		**Hearing Date:**	
Entered by:	tparks@cityofmadison.com	**Published Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	PLAN COMMISSION	11/13/2023	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER				Pass

Action Text: A motion was made by Heck, seconded by Figueroa Cole, to RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER. The motion passed by voice vote/other.

Notes: On a motion by Heck, seconded by Ald. Figueroa Cole, the Plan Commission found the standards met and recommended approval of the preliminary plat and final plat to the Common Council subject to the comments and conditions in the Plan Commission materials. The motion to recommend approval passed by voice vote/ other.

Text of Legislative File 79969

Title
Approving the preliminary plat and final plat of the *Village at Autumn Lake Replat No. 8* on property addressed as 2012-2208 Wood Sorrel Street, 1901-1937 Firefly Drive, et al. (District 17)

Body
WHEREAS Veridian Homes has duly filed a preliminary plat and final plat known as *Village at Autumn Lake Replat No. 8* on property addressed as 2012-2208 Wood Sorrel Street, 1901-1937 Firefly Drive, et al; City of Madison, Dane County, Wisconsin for approval by the Madison Common Council;

NOW THEREFORE BE IT RESOLVED that said plat is hereby approved subject to all conditions as required by the reviewing City departments as required by Section 16.23 of the General Ordinances of the City of Madison, subject to the conditions noted in the Plan Commission files, and that same shall be recorded with the Dane County Register of Deeds.

BE IT FURTHER RESOLVED that the Mayor and City Clerk of the City of Madison are hereby authorized to sign the plat, bond and subdivision contract, subsequent affidavits of corrections, parkland acquisition documents, easement or right-of-way release or procurement documents or any other related document or documents as deemed necessary by the Secretary of the Plan Commission in accordance with the approved plat.

BE IT FURTHER RESOLVED that the said plat is hereby added to the official map and the street grades for said plat on file in the City Engineer's Office are hereby approved.

BE IT FURTHER RESOLVED that the Planning Division is authorized to reflect the recorded subdivision in the Comprehensive Plan and any applicable neighborhood plans.

BE IT FURTHER RESOLVED that all dedications included in this plat or required as a condition of approval of this plat be and are hereby accepted by the City of Madison.

BE IT FURTHER RESOLVED that the Common Council authorizes City staff to request approval from the Capital Area Regional Planning Commission of any minor revisions to adopted environmental corridor boundaries within the Central Urban Service Area relating to this subdivision, and that the Council recognizes and adopts said revised boundaries.

City of Madison

Preliminary Plat and Final Plat

Location

2012-2208 Wood Sorrel St,
1902-1937 Firefly Dr, et al

Applicant

Matt Brink, D&R Investments III, LLC
Brett Stoffregan, D'Onofrio Kottke & Assoc.

Request

Village at Autumn Lake Replat No. 8, replatting 130 single-family lots and 3 outlots into 154 single-family lots and 3 public outlots and 2 private outlots

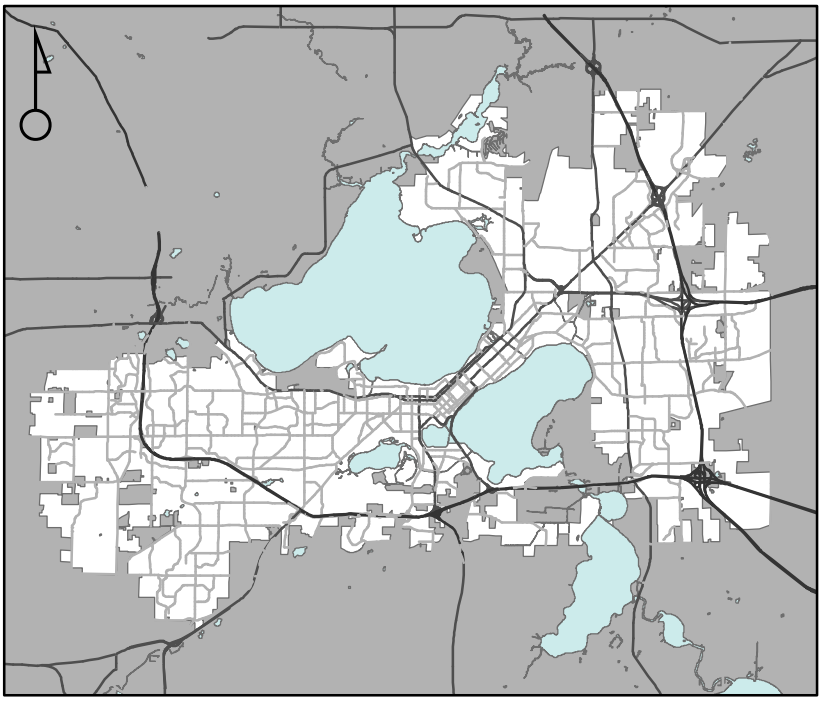
Public Hearing Dates

Plan Commission

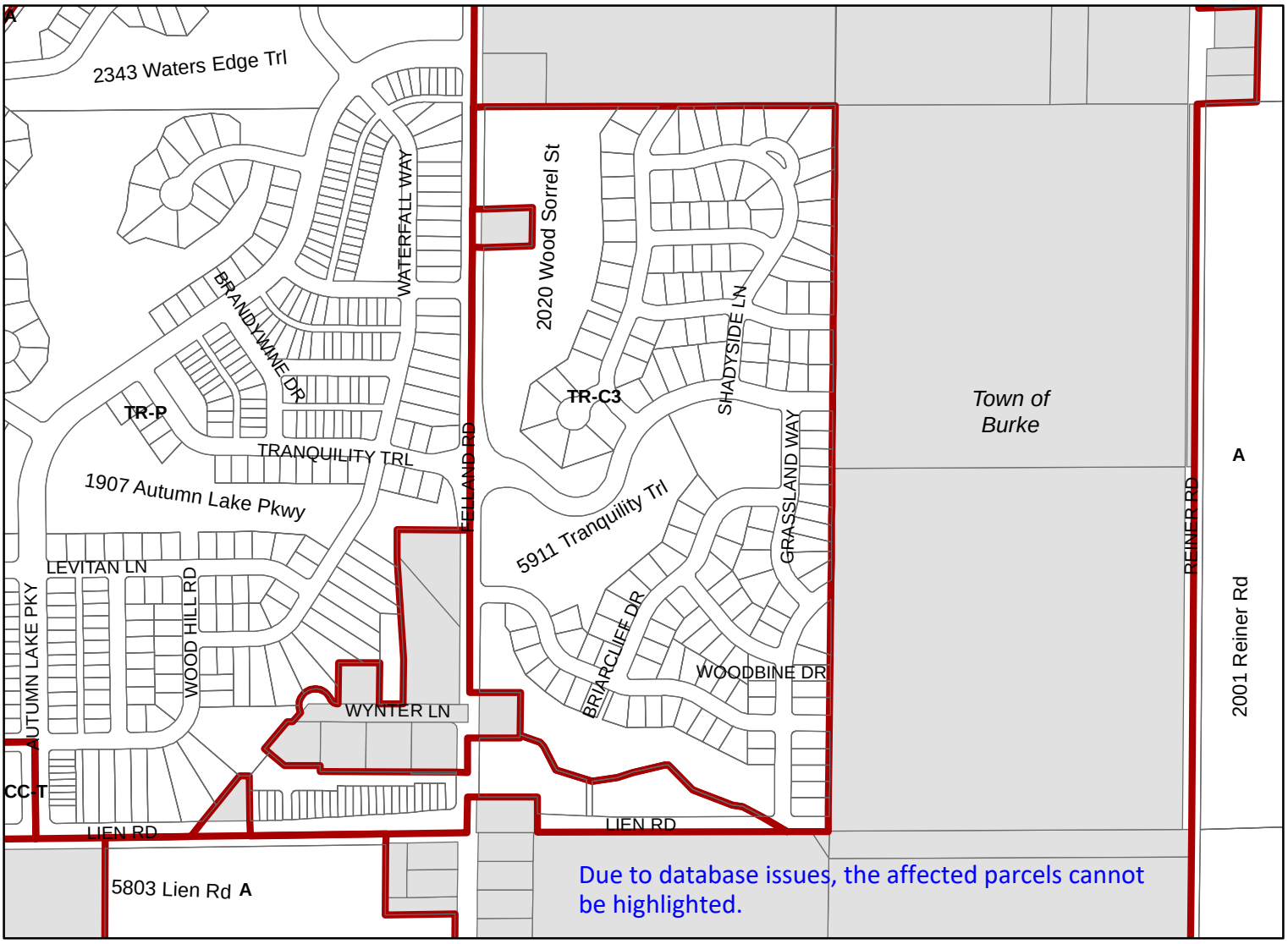
November 13, 2023

Common Council

November 21, 2023



For Questions Contact: Tim Parks at: 261-9632 or tparks@cityofmadison.com or City Planning at 266-4635



Scale : 1" = 400'

City of Madison, Planning Division : JC : Date : 11-6-23

City of Madison

Village at Autumn Lake Replat No. 8



Date of Aerial Photography : Spring 2022

SUBDIVISION APPLICATION

**** Please read both pages of the application completely and fill in all required fields ****

For a digital copy of this form with fillable fields, please visit:
https://www.cityofmadison.com/sites/default/files/city-of-madison/development-services-center/documents/SubdivisionApplication.pdf

If you need an interpreter, translator, materials in alternate formats or other accommodations to access these forms, please call the Planning Division at (608) 266-4635.

Si necesita interprete, traductor, materiales en diferentes formatos, u otro tipo de ayuda para acceder a estos formularios, por favor llame al (608) 266-4635.

Yog tias koj xav tau ib tug neeg txhais lus, tus neeg txhais ntawv, los sis xav tau cov ntaub ntawv ua lwm hom ntawv los sis lwm cov kev pab kom paub txog cov lus qhia no, thov hu rau Koog Npaj (Planning Division) (608) 266-4635.

City of Madison
Planning Division
Madison Municipal Building, Suite 017
215 Martin Luther King, Jr. Blvd.
P.O. Box 2985
Madison, WI 53701-2985
(608) 266-4635

NOTICE REGARDING LOBBYING ORDINANCE: If you are seeking approval of a development that has over 40,000 square feet of non-residential space, or a residential development of over 10 dwelling units, or if you are seeking assistance from the City with a value of $10,000 (including grants, loans, TIF or similar assistance), then you likely are subject to Madison's lobbying ordinance (M.G.O. Sec. 2.40). You are required to register and report your lobbying. Please consult the City Clerk's Office for more information. Failure to comply with the lobbying ordinance may result in fines.

1. Application Type

☑ Preliminary Subdivision Plat ☑ Final Subdivision Plat ☐ Land Division/Certified Survey Map (CSM)

If a Plat, Proposed Subdivision Name: Village at Autumn Lake Replat No. 8

2. Review Fees

- For Preliminary and/or Final Plats, an application fee of $250, plus $50 per lot or outlot contained on the plat.
- For Certified Survey Maps, an application fee of $250 plus $200 per lot and outlot contained on the CSM.

Make checks payable to "City Treasurer" and mail it to the following address: City of Madison Building Inspection; P.O. Box 2984; Madison, WI 53701-2984. Please include a cover page with the check which includes the project address, brief description of the project, and contact information.

3. Property Owner and Agent Information

Name of Property Owner: D&R Investments III, LLC, VAL LLC Representative, if any: Matt Brink

Street address: 6801 South Towne Drive City/State/Zip: Madison, WI 53713

Telephone: (608) 226-3000 Email: mbrink@veridianhomes.com

Firm Preparing Survey: D'Onofrio Kottke & Assoc Contact: Brett Stoffregan

Street address: 7530 Westward Way City/State/Zip: Madison, WI 53717

Telephone: (608) 833-7530 Email: bstoffregan@donofrio.cc

Check only ONE – ALL Correspondence on this application should be sent to: ☐ Property Owner, OR ☑ Survey Firm

4. Property Information for Properties Located within Madison City Limits

Parcel Addresses: See attached

Tax Parcel Number(s): See attached

Zoning District(s) of Proposed Lots: TR-C3 School District: Sun Prairie

- **Please include a detailed description of the number and use of all proposed lots and outlots in your letter of intent.**

4a. Property Information for For Properties Located *Outside* the Madison City Limits in the City's Extraterritorial Jurisdiction:

Parcel Addresses (note town if located outside City): _____

Date of Approval by Dane County: _____ Date of Approval by Town: _____

- **For an exterritorial request to be scheduled, approval letters from both the Town and Dane County must be submitted.**

5. Subdivision Contents and Description. Complete table as it pertains to your request; do not complete gray areas.

Land Use	Lots	Outlots	Acres
Residential	154		27.69
Retail/Office			
Industrial			

Land Use	Lots	Outlots	Acres
Other (state use):	ROW		3.39
Outlots Dedicated to the Public (Parks, Stormwater, etc.)		3	1.16
Outlots Maintained by a Private Group or Association		2	10.68
PROJECT TOTALS			42.92

6. Required Submittal Materials

Digital (PDF) copies of all items listed below (if applicable) are required. Applicants are to submit each of these documents as *individual PDF files* in an e-mail sent to PCapplications@cityofmadison.com. The transmittal shall include the name of the project and applicant. Note 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. Electronic submittals via file hosting services (such as Dropbox) are *not* allowed. Applicants who are unable to provide the materials electronically should contact the Planning Division at Planning@cityofmadison.com or (608) 266-4635 for assistance.

☐ **A Completed Subdivision Application Form** (i.e. both sides of this form)

☐ **Map Copies** (prepared by a Registered Land Surveyor):

- For Preliminary Plats, the drawings must be drawn to scale and are required to provide all information as set forth in M.G.O. Sec. 16.23 (7)(a).
- For Final Plats, the drawings must be drawn to scale and drawn to the specifications of §236.20, Wis. Stats..
- For Certified Survey Maps (CSMs), the drawings shall include all of the information set forth in M.G.O. Secs. 16.23 (7)(a) and (d), including existing site conditions, the nature of the proposed division and any other necessary data. Utility data (field located or from utility maps) may be provided on a separate map submitted with application.

For Plat & CSMs, in addition to the PDF copy, a digital CADD file shall also be submitted 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 plat, preliminary plat or CSM as submitted: 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 in title and shown on the plat or CSM including wetland & floodplain boundaries.)

☐ **Letter of Intent**: One copy of a letter describing the proposed subdivision or land division in detail including, but not limited to:

- The number and type/use of the lots and outlots proposed with this subdivision or land division, including any outlots to be dedicated to the public;
- Existing conditions and uses of the property;
- Phasing schedule for the project, and;
- The names of persons involved (property owner(s), subdivider, surveyor, civil engineer, etc.).

* *The letter of intent for a subdivision or land division may be the same as the letter of intent submitted with a concurrent Land Use Application for the same property.*

** *A letter of intent is not required for Subdivision Applications for lot combinations or split duplexes.*

☐ **Report of Title and Supporting Documents**: One copy of a City of Madison standard 60-year Report of Title obtained from a title insurance company as required in M.G.O. Sec. 16.23 and as satisfactory to the Office of Real Estate Services. Note:

- *The Report of Title must have been completed within three (3) months of the submittal date of this application. Title insurance or a title commitment policy are NOT acceptable* (i.e. a Preliminary Title Report or a Record Information Certificate).
- The electronic PDF submittal shall include images of the vesting deeds and all documents listed in the Report of Title.
- *Do not email these files to the City's Office of Real Estate Services*. Send them instead to the email address noted at the top of this page.

☐ **For Surveys Outside the Madison City Limits**: One copy of the approval letters from the town where the property is located *and* Dane County shall be submitted with your request. The Plan Commission may not consider an application within its extraterritorial jurisdiction without prior approval from the town and Dane County.

7. Applicant Declarations:

The signer attests that the application has been completed accurately and all required materials have been submitted:

Applicant's Printed Name: Brett Stoffregan Signature: Brett Stoffregan

Date: 9/18/23 Interest In Property On This Date: Surveyor

PARCEL NUMBERS

251-0810-264-1518-4 (Lot 932)
251-0810-264-1517-6 (Lot 933)
251-0810-264-1516-8 (Lot 934)
251-0810-264-1515-0 (Lot 935)
251-0810-264-1514-2 (Lot 936)
251-0810-264-1513-4 (Lot 937)
251-0810-264-1512-6 (Lot 938)
251-0810-264-1511-8 (Lot 939)
251-0810-264-1510-0 (Lot 940)
251-0810-264-1508-5 (Lot 941)
251-0810-264-1507-7 (Lot 942)
251-0810-264-1506-9 (Lot 943)
251-0810-264-1505-1 (Lot 944)
251-0810-264-1504-3 (Lot 945)
251-0810-264-1503-5 (Lot 946)
251-0810-264-1502-7 (Lot 947)
251-0810-264-1501-9 (Lot 948)
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251-0810-264-2002-6 (Lot 953)
251-0810-264-2003-4 (Lot 954)
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251-0810-264-2605-8 (Lot 1012)
251-0810-264-2604-0 (Lot 1013)
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251-0810-264-2802-0 (Lot 1086)
251-0810-264-1509-3 (Outlot 60)
251-0810-264-1701-5 (Outlot 61)
251-0810-264-2801-2 (Outlot 65)

D'ONOFRIO KOTTKE AND ASSOCIATES, INC.
7530 Westward Way, Madison, WI 53717 • Phone: 608.833.7530 • www.donofrio.cc

September 18, 2023

City of Madison – Planning Department
Madison Municipal Building, Suite 017
215 Martin Luther King Jr. Blvd.
P.O. Box 2985
Madison, WI 53701-2985

Re: Village at Autumn Lake Replat No. 8

To whom it may concern,

Please accept this preliminary plat and final plat reconfiguring Lots 932-1037, 1061-1086, Outlots 60, 61 and 65 of Autumn Lake Replat. The developer would like to increase density within the proposed plat to accommodate current market conditions. Various road right-of-ways within the existing plat will need to be vacated and various existing public easements. The current and proposed zoning of these parcels is TR-C3, so there will be no change in zoning.

We look forward to working with you on this project. Please let us know if you have any questions.

Sincerely,
D'Onofrio, Kottke & Associates, Inc.



Brett T. Stoffregan, PLS

SURVEYOR'S CERTIFICATE

I, Brett T. Stoffregan, Professional Land Surveyor S-2742 do hereby certify that this preliminary plat is a true representation of all the adjacent existing land divisions and of the boundary of the preliminary plat and features and that I have fully complied with the City of Madison Subdivision ordinance. Described as follows:

Lots 932-1037, 1061-1086, Outlots 60, 61, 65 and portions of Meadowlark Drive, Expedition Drive, Wood Sorrel Street, Wood Sorrel Court, Firefly Drive, Clover Basin Lane and Breezewood Road, to be discontinued and vacated by the City of Madison , all within Village at Autumn Lake Replat, recorded in Volume 60-045A of Plats on pages 230-249 as Document Number 5201276 in the Dane County Register of Deeds Office, located in the NW1/4 of the SE1/4 and the SW1/4 of the SE1/4 of Section 26, T8N, R10E, City of Madison, Dane County, Wisconsin to-wit:

Commencing at the South 1/4 corner of said Section 26; thence N00°29'52"E, 2645.65 feet along the West line of said SE1/4 to the Center of said Section 26; thence N89°45'03"E, 41.01 feet along the North line of said SE1/4 to a point on the East right-of-way line of Felland Road, also being the point beginning; thence N89°45'04"E, 636.69 feet along said North line to a point on the West right-of-way line of Wood Sorrel Street; thence S35°09'38"W, 106.23 feet along said West right-of-way line to a point of curve; thence Southerly along said West right-of-way line along a curve to the left which has a radius of 178.00 feet and a chord which bears S16°40'22"W, 112.89 feet; thence S01°48'54"E, 293.46 feet along said West right-of-way line to a point of curve; thence Southerly along said West right-of-way line along a curve to the right which has a radius of 272.00 feet and a chord which bears S04°45'40.5"W, 62.30 feet; thence S11°20'15"W, 151.61 feet along said West right-of-way line to a point of curve; thence Southerly along said West right-of-way line along a curve to the right which has a radius of 272.00 feet and a chord which bears S16°47'26.5"W, 51.70 feet; thence S22°14'38"W, 68.46 feet along said West right-of-way line; thence S67°45'21"E, 56.00 feet to a point on the East right-of-way line of Wood Sorrel Street; thence N22°14'38"E, 58.32 feet along said East right-of-way line to a point of curve; thence Northeasterly along a curve to the right which has a radius of 15.00 feet and a chord which bears N64°29'27.5"E, 20.17 feet to a point on the South right-of-way line of Expedition Drive; thence S73°15'43"E, 14.27 feet along said South right-of-way line to a point of curve; thence Easterly along said South right-of-way line along a curve to the left which has a radius of 178.00 feet and a chord which bears S84°37'13"E, 70.11 feet; thence N84°01'17"E, 204.95 feet along said South right-of-way line; thence N05°58'42"W, 56.00 feet to a point on the North right-of-way line of Expedition Drive; thence S84°01'17"W, 204.95 feet along said North right-of-way line to a point of curve; thence Westerly along said North right-of-way line along a curve to the right which has a radius of 122.00 feet and a chord which bears N84°37'13"W, 48.05 feet; thence N73°15'43"W, 14.26 feet along said North right-of-way line to a point of curve; thence Northwesterly along a curve to the right which has a radius of 15.00 feet and a chord which bears N30°57'44"W, 20.19 feet to a point on the East right-of-way line of Wood Sorrel Street; thence N11°20'15"E, 140.85 feet along said East right-of-way line to a point of curve; thence Northerly along said East right-of-way line along a curve to the left which has a radius of 328.00 feet and a chord which bears N08°00'58"E, 38.01 feet to a point of curve; thence Northeasterly along a curve to the right which has a radius of 15.00 feet and a chord which bears N46°26'23.5"E, 19.97 feet to a point on the Southerly right-of-way line of Milkweed Lane; thence N88°11'06"E, 308.63 feet along said Southerly right-of-way line to a point of curve; thence Easterly along said Southerly right-of-way line along a curve to the right which has a radius of 122.00 feet and a chord which bears S74°14'27.5"E, 73.67 feet; thence S56°40'01"E, 8.08 feet along said Southerly right-of-way line to a point of curve; thence Southerly along a curve to the right which has a radius of 15.00 feet and a chord which bears S11°40'01"E, 21.21 feet to a point on the Northwesterly right-of-way line of Meadowlark Drive; thence S33°19'59"W, 47.19 feet along said Northwesterly right-of-way line; thence S56°40'01"E, 56.00 feet to a point on the Southeasterly right-of-way line of Meadowlark Drive; thence N33°19'59"E, 128.82 feet along said Southeasterly right-of-way line to a point of curve; thence Northwesterly along the Easterly right-of-way line of Meadowlark Drive and the Northerly right-of-way line of Staghorn Drive along a curve to the left which has a radius of 238.00 feet and a chord which bears N35°26'51.5"W, 443.73 feet; thence S75°46'18"W, 93.70 feet along said Northerly right-of-way line to a point of curve; thence Westerly along said Northerly right-of-way line along a curve to the right which has a radius of 182.00 feet and a chord which bears S81°58'42"W, 37.19 feet; thence S88°11'06"W, 101.23 feet along said Northerly right-of-way line; thence S02°27'54"W, 56.16 feet to a point on the Southerly right-of-way line of Staghorn Drive; thence N88°11'06"E, 105.42 feet along said Southerly right-of-way line to a point of curve; thence Easterly along said Southerly right-of-way along a curve to the left which has a radius of 228.00 feet and a chord which bears N81°58'42"E, 49.30 feet; thence N75°46'18"E, 93.70 feet along said Southerly right-of-way line to a point of curve; thence Southeasterly along the Southwesterly right-of-way line of Staghorn Drive and Meadowlark Drive along a curve to the right which has a radius of 182.00 feet and a chord which bears S36°11'49"E, 337.57 feet to a point of curve; thence Westerly along a curve to the right which has a radius of 15.00 feet and a chord which bears S77°35'01.5"W, 11.49 feet to a point on the Northerly right-of-way line of Milkweed Lane; thence N56°40'01"W, 8.02 feet along said Northerly right-of-way line to a point of curve; thence Westerly along said Northerly right-of-way line along a curve to the left which has a radius of 178.00 feet and a chord which bears N74°14'27"W, 107.49 feet; thence S88°11'06"W, 306.42 feet along said Northerly right-of-way line to a point of curve; thence Northwesterly along a curve to the right which has a radius of 15.00 feet and a chord which bears N46°48'54"W, 21.21 feet to a point on the Easterly right-of-way line of Wood Sorrel Street; thence N01°48'54"W, 190.00 feet along said Easterly right-of-way line to a point of curve; thence Northeasterly along a curve to the right which has a radius of 15.00 feet and a chord which bears N43°11'06"E, 21.21 feet; thence N02°27'54"E, 56.16 feet to a point of curve on the North right-of-way line of Staghorn Drive; thence Northwesterly along a curve to the right which has a radius of 15.00 feet and a chord which bears N38°46'13.5"W, 23.97 feet to a point of compound curve on the Easterly right-of-way line of Wood Sorrel Street; thence Northeasterly along said Easterly right-of-way line along a curve to the right which has a radius of 122.00 feet and a chord which bears N42°03'02.5"E, 44.23 feet; thence N35°09'38"E, 146.04 feet along said Easterly right-of-way line to a point on the North line of said SE1/4; thence N89°45'04"E, 571.46 feet along the North line said SE1/4; thence S00°28'19"W, 762.62 feet to a point on the Northerly right-of-way line of Expedition Drive; thence N89°31'41"W, 170.43 feet along said Northerly right-of-way line to a point of curve; thence Westerly along said Northerly right-of-way line along a curve to the right which has a radius of 122.00 feet and a chord which bears N80°11'35.5"W, 39.58 feet; thence S19°08'30"W, 56.00 feet to a point of curve on the Southerly right-of-way line of Expedition Drive; thence Easterly along said Southerly right-of-way line along a curve to the left which has a radius of 178.00 feet and a chord which bears S80°11'35.5"E, 57.75 feet; thence S89°31'41"E, 170.43 feet along said Southerly right-of-way line; thence S00°28'19"W, 226.00 feet to a point on the Northerly right-of-way line of Tranquility Trail; thence S00°28'19"W, 70.00 feet along the East right-of-way line of Tranquility Trail to the a point on the Southerly right-of-way line of said Tranquility Trail; thence S00°28'19"W, 1107.60 feet to a point on the Northerly right-of-way line of Woodbine Drive; thence S00°28'19"W, 60.00 feet along the East right-of-way line of Woodbine Drive to a point on the Southerly right-of-way line of said Woodbine Drive; thence S00°28'19"W, 309.22 feet to a point on the Northerly right-of-way line of Lien Road; thence S89°44'34"W, 124.82 feet along said Northerly right-of-way line to a point of curve; thence Northwesterly along a curve to the right which has a radius of 15.00 feet and a chord which bears N44°53'33.5"W, 21.35 feet to a point on the Easterly right-of-way line of Breezewood Road; thence N00°28'19"E, 280.81 feet along said Easterly right-of-way line to a point of curve; thence Northeasterly along a curve to the right which has a radius of 15.00 feet and a chord which bears N45°28'19"E, 21.21 feet to a point on the Southerly right-of-way line of Woodbine Drive; thence S89°31'41"E, 125.00 feet along said Southerly right-of-way line; thence N00°28'19"E, 60.00 feet along the Easterly right-of-way line of Woodbine Drive to a point on the Northerly right-of-way of said Woodbine Drive; thence N89°31'41"W, 281.10 feet along said Northerly right-of-way line to a point of curve; thence Northwesterly along said Northerly right-of-way line along a curve to the right which has a radius of 120.00 feet and a chord which bears N74°02'00"W, 64.12 feet; thence N58°32'19"W, 134.39 feet along said Northerly right-of-way line to a point of curve; thence Northwesterly along said Northerly right-of-way line along a curve to the left which has a radius of 280.00 feet and a chord which bears N74°38'53"W, 155.38 feet; thence S89°14'33"W, 116.58 feet along said Northerly right-of-way line to a point of curve; thence Northwesterly along a curve to the right which has a radius of 15.00 feet and a chord which bears N34°11'12.5"E, 25.04 feet to a point on the Southeasterly right-of-way line of August Moon Drive; thence N22°23'02"E, 197.73 feet along said Southeasterly right-of-way line; thence N67°36'58"W, 56.00 feet to a point on the Northwesterly right-of-way line of August Moon Drive; thence S22°23'02"W, 117.65 feet along said Northwesterly right-of-way line to the Northeast corner of Lot 1038, Village at Autumn Lake Replat; thence N67°36'58"W, 135.00 feet along the Northerly lines of Lots 1038 and 1039, Village at Autumn Lake Replat to the Northwest corner of said Lot 1038, also being a Southerly corner of Outlot 63, Village at Autumn Lake Replat; thence N22°23'02"E, 175.20 feet along the Easterly line of said Outlot 63; thence N49°57'42"E, 265.89 feet along said Easterly line thence N20°24'33"E, 164.26 feet along said Easterly line; thence N38°34'00"E, 119.32 feet along said Easterly line to a point on the Westerly line of Outlot 62, Village at Autumn Lake Replat; thence S38°33'59"E, 115.17 feet along said Westerly line to a point of curve on the Northwestrly right-of-way line of August Moon Drive; thence Southwesterly along said Northwesterly right-of-way line along a curve to the left which has a radius of 183.00 feet and a chord which bears S35°55'00"W, 97.08 feet; thence S20°32'07"W, 122.91 feet along said Northwesterly right-of-way line to a point of curve; thence Southwesterly along said Northwesterly right-of-way line along a curve to the right which has a radius of 120.00 feet and chord which bears S35°31'31.5"W, 62.08 feet; thence S50°30'56"W, 94.93 feet along said Northwesterly right-of-way line to a point of curve; thence Southwesterly along said Northwesterly right-of-way line along a curve to the left which a radius of 328.00 feet and a chord which bears S36°26'59"W, 159.43 feet; thence S67°36'58"E, 56.00 feet to a point of curve on the Southeasterly right-of-way line of August Moon Drive; thence Northeasterly along said Southeasterly right-of-way line along a curve to the right which has a radius of 272.00 feet and a chord which bears N36°26'59"E, 132.21 feet; thence N50°30'56"E, 121.90 feet along said Southeasterly right-of-way line to a point of curve; thence Northeasterly along said Southeasterly right-of-way line along a curve to the left which has a radius of 150.00 feet and a chord which bears N35°31'31.5"E, 77.60 feet; thence N20°32'07"E, 112.54 feet along said Northeasterly right-of-way line to a point of curve; thence Northeasterly along said Southeasterly right-of-way line along a curve to the right which has a radius of 117.00 feet and a chord which bears N55°30'13"E, 134.11 feet to a point on the Southerly right-of-way line of said August Moon Drive; thence S89°31'41"E, 92.34 feet along said Southerly right-of-way line to a point of curve; thence Southeasterly along a curve to the right which has a radius of 15.00 feet and a chord which bears S38°08'09"E, 23.44 feet to a point on the Westerly right-of-way line of Firefly Drive; thence S13°15'23"W, 100.69 feet along said Westerly right-of-way line; thence S76°44'37"E, 60.00 feet to a point on the Easterly right-of-way line of Firefly Drive; thence N13°15'23"E, 143.14 feet along said Easterly right-of-way line to a point of curve; thence Northerly along said Easterly right-of-way line along a curve to the left which has a radius of 250.00 feet and a chord which bears N06°51'51"E, 55.67 feet; thence N00°28'19"E, 268.35 feet along said Easterly right-of-way line to a point of curve; thence Northeasterly along a curve to the right which has a radius of 15.00 feet and a chord which bears N45°28'19"E, 21.21 feet to a point on the Southerly right-of-way line of Tranquility Trail; thence S89°31'41"E, 105.00 feet along said Southerly right-of-way line to a point on the East right-of-way line of said Tranquility Trail; thence N00°28'19"E, 70.00 feet along said East right-of-way line to a point on the Northerly right-of-way line of said Tranquility Trail; thence N89°31'41"W, 130.23 feet along said Northerly right-of-way line to a point of curve; thence Westerly along said Northerly right-of-way along a curve to the right which has a radius of 452.00 feet and a chord which bears N82°29'35.5"W, 110.72 feet; thence N75°27'30"W, 71.77 feet along said Northerly right-of-way to a point of curve; thence Westerly along said Northerly right-of-way line along a curve to the left which has a radius of 373.00 feet and a chord which bears S86°49'40"W, 226.98 feet; thence S69°06'50"W, 53.48 feet along said Northerly right-of-way line to a point of curve; thence Southwesterly along said Northerly right-of-way line along a curve to the left which has a radius of 363.00 feet and a chord which bears S42°53'02"W, 324.66 feet; thence S15°59'14"W, 63.42 feet along said Northerly right-of-way line to a point of curve; thence Westerly along said Northerly right-of-way line along a curve to the right which has a radius of 117.00 feet and a chord which bears S73°08'09"W, 196.58 feet; thence N49°42'56"W, 114.50 feet along said Northerly right-of-way line to a point of curve; thence Northwesterly along said Northerly right-of-way line along a curve to the left which has a radius of 183.00 feet and a chord which bears N63°58'18"W, 90.13 feet to a point of reverse curve; thence Northwesterly along a curve to the right which has a radius of 99.00 feet and a chord which bears N45°50'45"W, 106.04 feet to a point of compound curve on the Easterly right-of-way line of Felland Road; thence Northerly along said Easterly right-of-way line along a curve to the right which has a radius of 782.00 feet and a chord which bears N06°28'59"W, 190.09 feet; thence N00°29'52"E, 506.16 feet along said Easterly right-of-way line; thence N88°18'52"E, 176.97 feet; thence N00°29'52"E, 140.00 feet; thence S88°18'52"W, 176.97 feet to a point on the Easterly right-of-way line of Felland Road; thence N00°29'52"E, 371.82 feet along said Easterly right-of-way line to the point of beginning. Containing 42.925 acres.

Dated this 18th day of September, 2023

Brett T. Stoffregan, Professional Land Surveyor, S-2742

WISCONSIN BRETT T. STOFFREGAN S-2742 MADISON, WISCONSIN LAND SURVEYOR

NOTES

1. This Plat is subject to the following recorded instruments:
   -Declaration of Conditions and Covenants recorded as Doc. Nos. 4195254, 4209500 and 4209501.
   -Declaration of Conditions, Covenants and Restrictions recorded as Doc. Nos. 5217506 and 5250395.
   -Declaration of Protective Covenants, Conditions and Restrictions recorded as Doc. No. 5298483 and amended by Doc. Nos. 5302800, 5337700, 5467972, 5489906, 5513192, 5621559, 5771197 and 5891491.
2. All underlying easements not shown on this preliminary plat will be released as part of the replatting process. See final plat for proposed easements.
3. All intersection radii are 15 feet.
4. Existing and proposed zoning: TR-C3
5. Planner: Vandeaile and Assoc.
   Owner: D & R Investments III, LLC
   Developer: VAL, LLC

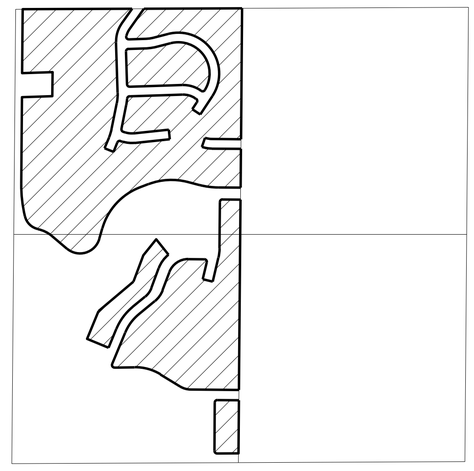
CURVE TABLE

CURVE NUMBER	LOT	RADIUS (FEET)	CHORD (FEET)	ARC (FEET)	CHORD BEARING	CENTRAL ANGLE	TANGENT BEARING
C1		178.00	112.89	114.87	S16°40'22"W	36°58'32"	
C2		272.00	62.30	62.44	S04°45'40.5"W	13°09'09"	
C3		272.00	51.70	51.78	S16°47'26.5"W	10°54'23"	
C4		15.00	20.17	22.12	N64°29'27.5"E	84°29'39"	
C5		178.00	70.11	70.57	S84°37'13"E	22°43'00"	
C6		122.00	48.05	48.37	N84°37'13"W	22°43'00"	
C7		15.00	20.19	22.15	N30°57'44"W	84°35'58"	
C8		328.00	38.01	38.03	N08°00'58"E	06°38'34"	OUT-N04°41'41"E
C9		15.00	19.97	21.86	N46°26'23.5"E	83°29'25"	
C10		122.00	73.67	74.84	S74°14'27.5"E	35°08'53"	
C11		15.00	21.21	23.56	S11°40'01"E	90°00'00"	
C12		238.00	443.73	571.41	N35°26'51.5"W	137°33'41"	
C13		172.00	37.19	37.26	N81°58'42"E	12°24'48"	
C14		228.00	49.30	49.40	N81°58'42"E	12°24'48"	
C15		182.00	337.57	432.20	S36°11'49"E	136°03'46"	OUT-S31°50'04"W
C16		15.00	21.49	23.95	S77°35'01.5"W	91°29'55"	
C17		178.00	107.49	109.19	N74°14'27.5"W	35°08'53"	
C18		15.00	21.21	23.56	N46°48'54"W	90°00'00"	
C19		15.00	21.21	23.56	N43°11'06"E	90°00'00"	
C20		15.00	23.97	27.77	N38°46'13.5"W	106°05'21"	OUT-N14°16'27"E
C21		122.00	44.23	44.47	N24°43'02.5"E	20°53'11"	
C22		122.00	39.58	39.75	N80°11'35.5"W	18°40'11"	
C23		178.00	57.75	58.00	S80°11'35.5"E	18°40'11"	
C24		15.00	21.35	23.75	N44°53'33.5"W	90°43'45"	
C25		15.00	21.21	23.56	N45°28'19"E	90°00'00"	
C26		120.00	64.12	64.90	N74°02'00"W	30°59'22"	
C27		280.00	155.38	157.45	N74°38'53"W	32°13'08"	
C28		15.00	25.04	29.62	N34°11'12.5"E	113°08'29"	
C29		183.00	97.08	98.25	S35°55'00"W	30°45'46"	IN-S51°17'53"W
C30		120.00	62.08	62.79	S35°31'31.5"W	29°58'49"	
C31		328.00	159.43	161.04	S36°26'59"W	28°07'54"	
C32		272.00	132.21	133.55	N36°26'59"E	28°07'54"	
C33		150.00	77.60	78.49	N35°31'31.5"E	29°58'49"	
C34		117.00	134.11	142.81	N55°30'13"E	69°56'12"	
C35		15.00	23.44	26.91	S38°08'09"E	102°47'04"	
C36		250.00	55.67	55.78	N06°51'51"E	12°47'04"	
C37		15.00	21.21	23.56	N45°28'19"E	90°00'00"	
C38		452.00	110.72	110.99	N82°29'35.5"W	14°04'11"	
C39		373.00	226.98	230.64	S86°49'40"W	35°25'40"	
C40		363.00	324.66	336.59	S42°53'02"W	53°07'36"	
C41		117.00	196.58	233.40	N73°08'09"E	114°17'50"	
C42		183.00	90.13	91.07	N63°58'18"W	28°30'44"	
C43		99.00	106.04	111.90	N45°50'45"W	64°45'50"	IN-N78°13'40"W
C44		782.00	190.09	190.56	N06°28'59"W	13°57'42"	IN-N13°27'50"W

LEGEND

- FOUND 1-1/4" REBAR
- FOUND 3/4" REBAR
- SS — SANITARY SEWER
- W — WATER MAIN
- ST — STORM SEWER
- G — GAS MAIN
- OHE — OVERHEAD ELECTRIC
- E — UNDERGROUND ELECTRIC
- T — UNDERGROUND TELECOMMUNICATION
- MANHOLE
- CATCH BASIN/INLET
- POWER POLE
- HYDRANT
- DECIDUOUS TREE
- EDGE OF TREES
- CONCRETE
- CONCRETE CURB AND GUTTER
- 1025 — EXISTING CONTOUR

SE 1/4 SECTION 26, T8N, R10E



LOCATION MAP
1"=500'

DATE: 09-18-23
REVISED:

FN: 23-07-111

Sheet Number:
1 of 1

SCALE: 1"= 100'
(PAGE SIZE: 30x42)
0 100

BEARINGS REFERENCED TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 26, T8N, R10E WISCONSIN COUNTY COORDINATE SYSTEM (DANE ZONE) BEARING N00°29'52"E

PRELIMINARY PLAT

VILLAGE AT AUTUMN LAKE REPLAT NO. 8

LOTS 932-1037, 1061-1086, OUTLOTS 60, 61, 65 AND PORTIONS OF MEADOWLARK DRIVE, EXPEDITION DRIVE, WOOD SORREL STREET, WOOD SORREL COURT, FIREFLY DRIVE, CLOVER BASIN LANE AND BREEZEWOOD ROAD, TO BE DISCONTINUED AND VACATED BY THE CITY OF MADISON, ALL WITHIN VILLAGE AT AUTUMN LAKE REPLAT, RECORDED IN VOLUME 60-045A OF PLATS ON PAGES 230-249 AS DOCUMENT NUMBER 5201276 IN THE DANE COUNTY REGISTER OF DEEDS OFFICE, LOCATED IN THE NW1/4 OF THE SE1/4 AND THE SW1/4 OF THE SE1/4 OF SECTION 26, T8N, R10E, CITY OF MADISON, DANE COUNTY, WISCONSIN.

D'ONOFRIO KOTTKE AND ASSOCIATES, INC.
7530 Westward Way, Madison, WI 53717
Phone: 608.833.7530 • Fax: 608.833.1089
YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____

Department of Administration

VILLAGE AT AUTUMN LAKE REPLAT NO. 8

LOTS 932-1037, 1061-1086, OUTLOTS 60, 61, 65 AND PORTIONS OF MEADOWLARK DRIVE, EXPEDITION DRIVE, WOOD SORREL STREET, WOOD SORREL COURT, FIREFLY DRIVE, CLOVER BASIN LANE AND BREEZEWOOD ROAD, DISCONTINUED AND VACATED BY THE CITY OF MADISON RES-_____, RECORDED AS DOCUMENT NUMBER_____, ALL WITHIN VILLAGE AT AUTUMN LAKE REPLAT, RECORDED IN VOLUME 60-045A OF PLATS ON PAGES 230-249 AS DOCUMENT NUMBER 5201276 IN THE DANE COUNTY REGISTER OF DEEDS OFFICE, LOCATED IN THE NW1/4 OF THE SE1/4 AND THE SW1/4 OF THE SE1/4 OF SECTION 26, T8N, R10E, CITY OF MADISON, DANE COUNTY, WISCONSIN.

0 60' 120'

1"=60'

BEARINGS REFERENCED TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 26, T8N, R10E WISCONSIN COUNTY COORDINATE SYSTEM (DANE ZONE) BEARING N00°29'52"E



D'ONOFRIO KOTTKE AND ASSOCIATES, INC.
7530 Westward Way, Madison, WI 53717
Phone: 608.833.7530 • Fax: 608.833.1089
YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT

FN:23-07-111

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____

Department of Administration

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LOTS 932-1037, 1061-1086, OUTLOTS 60, 61, 65 AND PORTIONS OF MEADOWLARK DRIVE, EXPEDITION DRIVE, WOOD SORREL STREET, WOOD SORREL COURT, FIREFLY DRIVE, CLOVER BASIN LANE AND BREEZEWOOD ROAD, DISCONTINUED AND VACATED BY THE CITY OF MADISON RES-_____, RECORDED AS DOCUMENT NUMBER_____, ALL WITHIN VILLAGE AT AUTUMN LAKE REPLAT, RECORDED IN VOLUME 60-045A OF PLATS ON PAGES 230-249 AS DOCUMENT NUMBER 5201276 IN THE DANE COUNTY REGISTER OF DEEDS OFFICE, LOCATED IN THE NW1/4 OF THE SE1/4 AND THE SW1/4 OF THE SE1/4 OF SECTION 26, T8N, R10E, CITY OF MADISON, DANE COUNTY, WISCONSIN.

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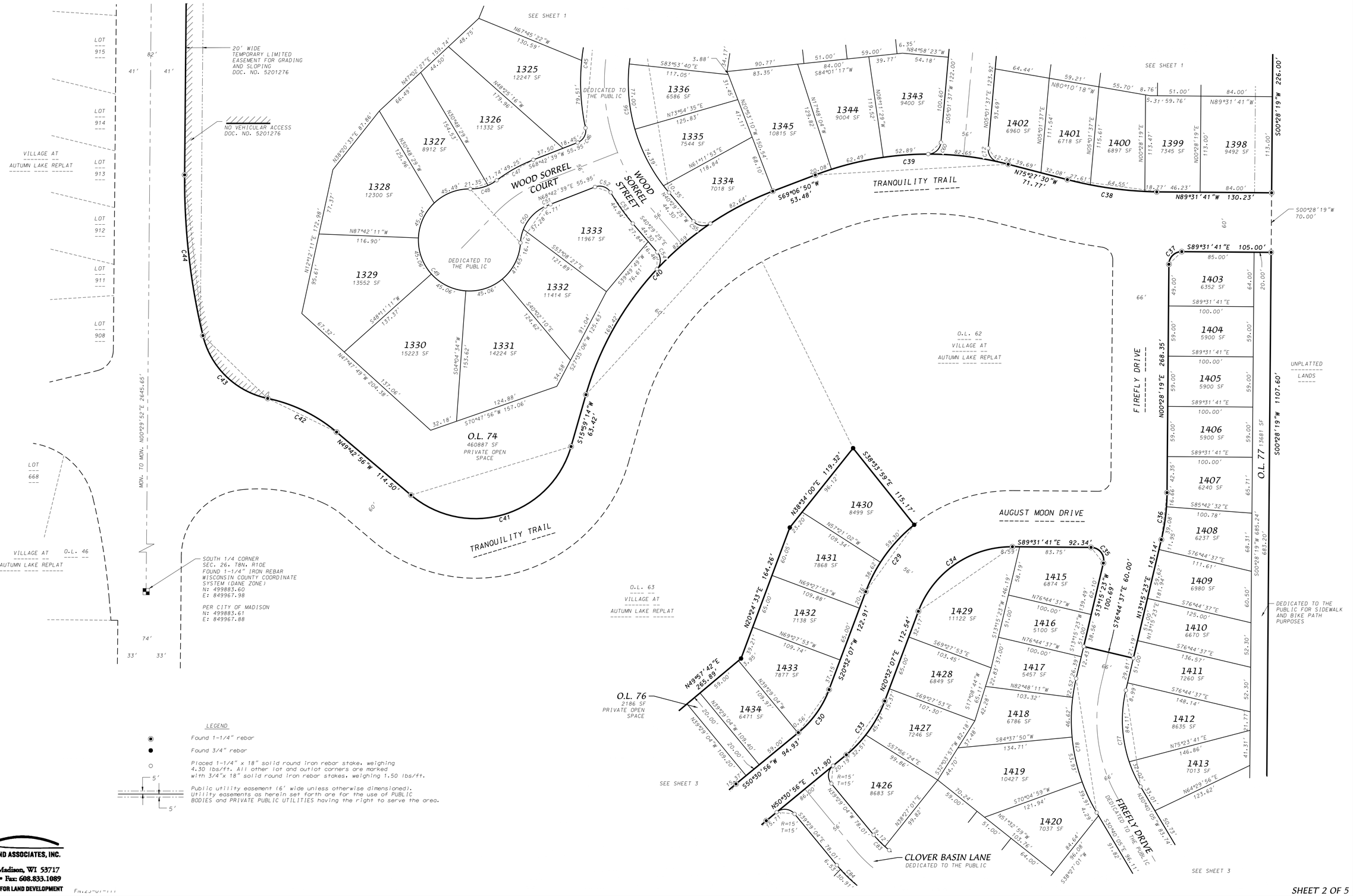

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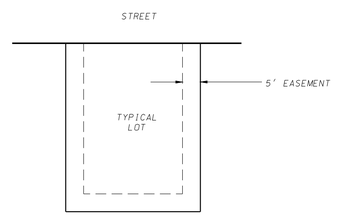
LEGEND

- Found 1-1/4" rebar
- Found 3/4" rebar
- Placed 1-1/4" x 18" solid round iron rebar stake, weighing 4.30 lbs/ft. All other lot and outlot corners are marked with 3/4"x 18" solid round iron rebar stakes, weighing 1.50 lbs/ft.

5' / 5' — Public utility easement (6' wide unless otherwise dimensioned). Utility easements as herein set forth are for the use of PUBLIC BODIES and PRIVATE PUBLIC UTILITIES having the right to serve the area.



EASEMENT FOR DRAINAGE PURPOSES DETAIL
Not to Scale - See note 2



NOTES

1. This Plat is subject to the following recorded instruments:

   A. Declaration of Conditions and Covenants recorded as Doc. Nos. 4195254, 4209500 and 4209501.
   B. Declaration of Conditions, Covenants and Restrictions recorded as Doc. Nos. 5217506 and 5250395.
   C. Declaration of Protective Covenants, Conditions and Restrictions recorded as Doc. No. 5298483 and amended by Doc. Nos. 5302800, 5337700, 5467972, 5489906, 5513192, 5621559, 5771197 and 5891491.
   D. Public Utility Easements granted by Doc. No. 5201276, partially released by Doc. Nos. _____.
   E. Public Sidewalk and Bike Path Easements granted by Doc. No. 5201276, partially released by Doc. No. _____.

2. All lots within this plat are subject to public easements for drainage purposes which shall be a minimum of 5 feet in width measured from the property line to the interior of each lot except that the easements shall be 12 feet in width on the perimeter of the plat. EXCEPT where shown otherwise on the face of the plat. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of five (5) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) in width along the perimeter of the plat. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.

   The intra-block drainage easements shall be graded with the construction of each principle structure in accordance with the approved storm water drainage plan on file with the City Engineer and the Zoning Administrator, as amended in accordance with the Madison General Ordinances.

   NOTE: In the event of a City of Madison Plan Commission and/or Common Council approved re-division of a previously subdivided property, the underlying public easements for drainage purposes are released and replaced by those required and created by the current approved subdivision.

3. Subsoil information indicates that basements of structures within the plat may encounter bedrock. The sub-surface conditions report, dated March 8, 2001 and August 21, 2001, is on file with the City Engineer.

4. As the date of Plat recordation there is an active quarry operation on the lands located east of this Plat. Lots of this Plat may be subject to existing and future dust, noise and vibration generated by the adjacent quarry operations.

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

7. No driveway shall be constructed that interferes with the orderly operation of the pedestrian walkway. This will require all pedestrian ramps to be constructed separate from driveway entrances; a curb-head of no less than six (6) inches in width shall be constructed between all pedestrian ramps and driveway entrances.

8. Outlot 74 shall have no vehicular access to Felland Road.

9. The temporary easements for grading and sloping shall be released by the City of Madison by separate instrument upon the completion and acceptance of newly constructed street improvements within the Felland Road right of way adjacent to the easements.

10. Outlot Designations:

    Outlot 74 - Private Open Space
    Outlot 75 - Private Open Space
    Outlot 76 - Private Open Space
    Outlot 77 - Dedicated to the Public for sidewalk and bike path purposes
    Outlot 77 - Dedicated to the Public for sidewalk, bike path and Stormwater Management purpose

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SURVEYOR'S CERTIFICATE

I, Brett T. Stoffregan, Professional Land Surveyor S-2742 do hereby certify that in full compliance with the provisions of Chapter 236 of the Wisconsin State Statutes and the Subdivision Regulations of the City of Madison, and under the direction of the owners listed below, I have surveyed, divided and mapped "Village at Autumn Lake Replat No. 6" and that such plat correctly represents all the exterior boundaries and the subdivision of the land surveyed as is described as follows:

Lots 932-1037, 1061-1086, Outlots 60, 61, 65 and portions of Meadowlark Drive, Expedition Drive, Wood Sorrel Street, Wood Sorrel Court, Firefly Drive, Clover Basin Lane and Breezewood Road, discontinued and vacated by the City of Madison RES-_____, recorded as Document Number_____, all within Village at Autumn Lake Replat, recorded in Volume 60-045A of Plats on pages 230-249 as Document Number 5201276 in the Dane County Register of Deeds Office, located in the NW1/4 of the SE1/4 and the SW1/4 of the SE1/4 of Section 26, T8N, R10E, City of Madison, Dane County, Wisconsin to-wit:

Commencing at the South 1/4 corner of said Section 26; thence N00°29'52"E, 2645.65 feet along the West line of said SE1/4 to the Center of said Section 26; thence N89°45'03"E, 41.01 feet along the North line of said SE1/4 to a point on the East right-of-way line of Felland Road, also being the point beginning; thence N89°45'04"E, 636.69 feet along said North line to a point on the West right-of-way line of Wood Sorrel Street; thence S35°09'38"W, 106.23 feet along said West right-of-way line to a point of curve; thence Southerly along said West right-of-way line along a curve to the left which has a radius of 178.00 feet and a chord which bears S16°40'22"W, 112.89 feet; thence S01°48'54"E, 293.46 feet along said West right-of-way line to a point of curve; thence Southerly along said West right-of-way line along a curve to the right which has a radius of 272.00 feet and a chord which bears S04°45'40.5"W, 62.30 feet; thence S11°20'15"W, 151.61 feet along said West right-of-way line to a point of curve; thence Southerly along said West right-of-way line along a curve to the right which has a radius of 272.00 feet and a chord which bears S16°47'26.5"W, 51.70 feet; thence S22°14'38"W, 68.46 feet along said West right-of-way line; thence S67°45'21"E, 56.00 feet to a point on the East right-of-way line of Wood Sorrel Street; thence N22°14'38"E, 58.32 feet along said East right-of-way line to a point of curve; thence Northeasterly along a curve to the right which has a radius of 15.00 feet and a chord which bears N64°29'27.5"E, 20.17 feet to a point on the South right-of-way line of Expedition Drive; thence S73°15'43"E, 14.27 feet along said South right-of-way line to a point of curve; thence Easterly along said South right-of-way line along a curve to the left which has a radius of 178.00 feet and a chord which bears S84°37'13"E, 70.11 feet; thence N84°01'17"E, 204.95 feet along said South right-of-way line; thence N05°58'42"W, 56.00 feet to a point on the North right-of-way line of Expedition Drive; thence S84°01'17"W, 204.95 feet along said North right-of-way line to a point of curve; thence Westerly along said North right-of-way line along a curve to the right which has a radius of 122.00 feet and a chord which bears N84°37'13"W, 48.05 feet; thence N73°15'43"W, 14.26 feet along said North right-of-way line to a point of curve; thence Northwesterly along a curve to the right which has a radius of 15.00 feet and a chord which bears N30°57'44"W, 20.19 feet to a point on the East right-of-way line of Wood Sorrel Street; thence N11°20'15"E, 140.85 feet along said East right-of-way line to a point of curve; thence Northerly along said East right-of-way line along a curve to the left which has a radius of 328.00 feet and a chord which bears N08°00'58"E, 38.01 feet to a point of curve; thence Northeasterly along a curve to the right which has a radius of 15.00 feet and a chord which bears N46°26'23.5"E, 19.97 feet to a point on the Southerly right-of-way line of Milkweed Lane; thence N88°11'06"E, 308.63 feet along said Southerly right-of-way line to a point of curve; thence Easterly along said Southerly right-of-way line along a curve to the right which has a radius of 122.00 feet and a chord which bears S74°14'27.5"E, 73.67 feet; thence S56°40'01"E, 8.08 feet along said Southerly right-of-way line to a point of curve; thence Southerly along a curve to the right which has a radius of 15.00 feet and a chord which bears S11°40'01"E, 21.21 feet to a point on the Northwesterly right-of-way line of Meadowlark Drive; thence S33°19'59"W, 47.19 feet along said Northwesterly right-of-way line; thence S56°40'01"E, 56.00 feet to a point on the Southeasterly right-of-way line of Meadowlark Drive; thence N33°19'59"E, 128.82 feet along said Southeasterly right-of-way line to a point of curve; thence Northeasterly along the Easterly right-of-way line of Meadowlark Drive and the Northerly right-of-way line of Staghorn Drive along a curve to the left which has a radius of 238.00 feet and a chord which bears N35°26'51.5"W, 443.73 feet; thence S75°46'18"W, 93.70 feet along said Northerly right-of-way line to a point of curve; thence Westerly along said Northerly right-of-way line along a curve to the right which has a radius of 172.00 feet and a chord which bears S81°58'42"W, 37.19 feet; thence S88°11'06"W, 101.23 feet along said Northerly right-of-way line; thence S02°27'54"W, 56.16 feet to a point on the Southerly right-of-way line of Staghorn Drive; thence N88°11'06"E, 105.42 feet along said Southerly right-of-way line to a point of curve; thence Easterly along said Southerly right-of-way along a curve to the left which has a radius of 228.00 feet and a chord which bears N81°58'42"E, 49.30 feet; thence N75°46'18"E, 93.70 feet along said Southerly right-of-way line to a point of curve; thence Southeasterly along the Southwesterly right-of-way line of Staghorn Drive and Meadowlark Drive along a curve to the right which has a radius of 182.00 feet and a chord which bears S36°11'49"E, 337.57 feet to a point of curve; thence Westerly along a curve to the right which has a radius of 15.00 feet and a chord which bears S77°35'01.5"W, 21.49 feet to point on the Northerly right-of-way line of Milkweed Lane; thence N56°40'01"W, 8.02 feet along said Northerly right-of-way line to a point of curve; thence Westerly along said Northerly right-of-way line along a curve to the left which has a radius of 178.00 feet and a chord which bears N74°14'27"W, 107.49 feet; thence S88°11'06"W, 306.42 feet along said Northerly right-of-way line to a point of curve; thence Northwesterly along a curve to the right which has a radius of 15.00 feet and a chord which bears N46°48'54"W, 21.21 feet to a point on the Easterly right-of-way line of Wood Sorrel Street; thence N01°48'54"W, 190.00 feet along said Easterly right-of-way line to a point of curve; thence Northeasterly along a curve to the right which has a radius of 15.00 feet and a chord which bears N43°11'06"E, 21.21 feet; thence N02°27'54"E, 56.16 feet to a point of curve on the North right-of-way line of Staghorn Drive; thence Northeasterly along a curve to the right which has a radius of 15.00 feet and a chord which bears N38°46'13.5"W, 23.97 feet to a point of compound curve on the Easterly right-of-way line of Wood Sorrel Street; thence Northeasterly along said Easterly right-of-way line along a curve to the right which has a radius of 122.00 feet and a chord which bears N24°43'02.5"E, 44.23 feet; thence N35°09'36"E, 146.04 feet along said Easterly right-of-way line to a point on the North line of said SE1/4; thence N89°45'04"E, 571.46 feet along the North line said SE1/4; thence S00°28'19"W, 762.62 feet to a point on the Northerly right-of-way line of Expedition Drive; thence N89°31'41"W, 170.43 feet along said Northerly right-of-way line to a point of curve; thence Westerly along said Northerly right-of-way line along a curve to the right which has a radius of 122.00 feet and a chord which bears N80°11'35.5"W, 39.58 feet; thence S19°08'30"W, 56.00 feet to a point of curve on the Southerly right-of-way line of Expedition Drive; thence Easterly along a curve to the left which has a radius of 178.00 feet and a chord which bears S80°11'35.5"E, 57.75 feet; thence S89°31'41"E, 170.43 feet along said Southerly right-of-way line; thence S00°28'19"W, 226.00 feet to a point on the Northerly right-of-way line of Tranquility Trail; thence S00°28'19"W, 70.00 feet along the East right-of-way line of Tranquility Trail to the a point on the Southerly right-of-way line of said Tranquility Trail; thence S00°28'19"W, 1107.60 feet to a point on the Northerly right-of-way line of Woodbine Drive; thence S00°28'19"W, 60.00 feet along the East right-of-way line of Woodbine Drive to a point on the Southerly right-of-way line of said Woodbine Drive; thence S00°28'19"W, 309.22 feet to a point on the Northerly right-of-way line of Lien Road; thence S89°44'34"W, 124.82 feet along said Northerly right-of-way line to a point of curve; thence Northwesterly along a curve to the right which has a radius of 15.00 feet and a chord which bears N44°53'33.5"W, 21.35 feet to a point on the Easterly right-of-way line of Breezewood Road; thence N00°28'19"E, 280.81 feet along said Easterly right-of-way line to a point of curve; thence Northeasterly along a curve to the right which has a radius of 15.00 feet and a chord which bears N45°28'19"E, 21.21 feet to a point on the Southerly right-of-way line of Woodbine Drive; thence S89°31'41"E, 125.00 feet along said Southerly right-of-way line; thence N00°28'19"E, 60.00 feet along the Easterly right-of-way line of Woodbine Drive to a point on the Northerly right-of-way of said Woodbine Drive; thence N89°31'41"W, 281.10 feet along said Northerly right-of-way line to a point of curve; thence Northwesterly along said Northerly right-of-way line along a curve to the right which has a radius of 120.00 feet and a chord which bears N74°02'00"W, 64.12 feet; thence N58°32'19"W, 134.39 feet along said Northerly right-of-way line to a point of curve; thence Northwesterly along said Northerly right-of-way line along a curve to the left which has a radius of 280.00 feet and a chord which bears N74°38'53"W, 155.38 feet; thence S89°14'33"W, 116.58 feet along said Northerly right-of-way line to a point of curve; thence Northwesterly along a curve to the right which has a radius of 15.00 feet and a chord which bears N34°11'12.5"E, 25.04 feet to a point on the Southeasterly right-of-way line of August Moon Drive; thence N22°23'02"E, 197.73 feet along said Southeasterly right-of-way line; thence N67°36'58"W, 56.00 feet to a point on the Northwesterly right-of-way line of August Moon Drive; thence S22°23'02"W, 117.65 feet along said Northwesterly right-of-way line to the Northeast corner of Lot 1038, Village at Autumn Lake Replat; thence N67°36'58"W, 135.00 feet along the Northerly lines of Lots 1038 and 1039, Village at Autumn Lake Replat to the Northwest corner of said Lot 1038, also being a Southerly corner of Outlot 63, Village at Autumn Lake Replat; thence N22°23'02"E, 175.20 feet along the Easterly line of said Outlot 63; thence N49°57'42"E, 265.89 feet along said Easterly line thence N20°24'33"E, 164.26 feet along said Easterly line; thence N38°34'00"E, 119.32 feet along said Easterly line to a point on the Westerly line of Outlot 62, Village at Autumn Lake Replat; thence S38°33'59"E, 115.17 feet along said Westerly line to a point of curve on the Northwesterly line of August Moon Drive; thence Southwesterly along said Northwesterly right-of-way line along a curve to the left which has a radius of 183.00 feet and a chord which bears S35°55'00"W, 97.08 feet; thence S20°32'07"W, 122.91 feet along said Northwesterly right-of-way line to a point of curve; thence Southwesterly along said Northwesterly right-of-way line along a curve to the right which has a radius of 120.00 feet and chord which bears S35°31'31.5"W, 62.08 feet; thence S50°30'56"W, 94.93 feet along said Northwesterly right-of-way line to a point of curve; thence Southwesterly along said Northwesterly right-of-way line along a curve to the left which a radius of 328.00 feet and a chord which bears S36°26'59"E, 159.43 feet; thence S67°36'58"E, 56.00 feet to a point of curve on the Southeasterly right-of-way line of August Moon Drive; thence Northeasterly along said Southeasterly right-of-way line along a curve to the right which has a radius of 272.00 feet and a chord which bears N36°26'59"E, 132.21 feet; thence N50°30'56"E, 121.90 feet along said Southeasterly right-of-way line to a point of curve; thence Northeasterly along said Southeasterly right-of-way line along a curve to the left which has a radius of 150.00 feet and a chord which bears N35°31'31.5"E, 77.60 feet; thence N20°32'07"E, 112.54 feet along said Northeasterly right-of-way line to a point of curve; thence Northeasterly along said Southeasterly right-of-way line along a curve to the right which has a radius of 117.00 feet and a chord which bears N55°30'13"E, 134.11 feet to a point on the Southerly right-of-way line of said August Moon Drive; thence S89°31'41"E, 92.34 feet along said Southerly right-of-way line to a point of curve; thence Southeasterly along a curve to the right which has a radius of 15.00 feet and a chord which bears S38°08'09"E, 23.44 feet to a point on the Westerly right-of-way line of Firefly Drive; thence S13°15'23"W, 100.69 feet along said Westerly right-of-way line; thence S76°44'37"E, 60.00 feet to a point on the Easterly right-of-way line of Firefly Drive; thence N13°15'23"E, 143.14 feet along said Easterly right-of-way line to a point of curve; thence Northerly along said Easterly right-of-way line along a curve to the left which has a radius of 250.00 feet and a chord which bears N06°51'51"E, 55.67 feet; thence N00°28'19"E, 268.35 feet along said Easterly right-of-way line to a point of curve; thence Northeasterly along a curve to the right which has a radius of 15.00 feet and a chord which bears N45°28'19"E, 21.21 feet to a point on the Southerly right-of-way line of Tranquility Trail; thence S89°31'41"E, 105.00 feet along said Southerly right-of-way line to a point on the East right-of-way line of said Tranquility Trail; thence N00°28'19"E, 70.00 feet along said East right-of-way line to a point on the Northerly right-of-way line of said Tranquility Trail; thence N89°31'41"W, 130.23 feet along said Northerly right-of-way line to a point of curve; thence Westerly along said Northerly right-of-way along a curve to the right which has a radius of 452.00 feet and a chord which bears N82°29'35.5"W, 110.72 feet; thence N75°27'30"W, 71.77 feet along said Northerly right-of-way to a point of curve; thence Westerly along said Northerly right-of-way line along a curve to the left which has a radius of 373.00 feet and a chord which bears S86°49'40"W, 226.98 feet; thence S69°06'50"W, 53.48 feet along said Northerly right-of-way line to a point of curve; thence Southwesterly along said Northerly right-of-way line along a curve to the left which has a radius of 363.00 feet and a chord which bears S42°33'02"W, 324.66 feet; thence S15°59'14"W, 63.42 feet along said Northerly right-of-way line to a point of curve; thence Westerly along said Northerly right-of-way line along a curve to the right which has a radius of 117.00 feet and a chord which bears S73°08'09"W, 196.58 feet; thence N49°42'56"W, 114.50 feet along said Northerly right-of-way line to a point on the Northerly line of said Lien Road; thence Northerly along said Easterly right-of-way line along a curve to the left which has a radius of 183.00 feet and a chord which bears N63°58'18"W, 90.13 feet to a point of reverse curve; thence Northwesterly along a curve to the right which has a radius of 99.00 feet and a chord which bears N45°50'45"W, 106.04 feet to a point of compound curve on the Easterly right-of-way line of Felland Road; thence Northerly along said Easterly right-of-way line along a curve to the right which has a radius of 782.00 feet and a chord which bears N06°28'59"W, 190.09 feet; thence N00°29'52"E, 506.16 feet along said Easterly right-of-way line; thence N88°18'52"E, 176.97 feet; thence N00°29'52"E, 140.00 feet; thence S88°18'52"W, 176.97 feet to a point on the Easterly right-of-way line of Felland Road; thence N00°29'52"E, 371.82 feet along said Easterly right-of-way line to the point of beginning. Containing 42.925 acres.

Dated this_____day of_____, 2023

Brett T. Stoffregan, Professional Land Surveyor, S-2742

D'ONOFRIO KOTTKE AND ASSOCIATES, INC.

7530 Westward Way, Madison, WI 53717
Phone: 608.833.7530 • Fax: 608.833.1089
YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT

FN:23-07-111

CURVE TABLE

CURVE NUMBER	LOT	RADIUS (FEET)	CHORD (FEET)	ARC (FEET)	CHORD BEARING	CENTRAL ANGLE	TANGENT BEARING
C1		178.00	112.89	114.87	S16°40'22"W	36°58'32"	
	1313	178.00	12.35	12.36	S33°10'19"W	03°58'38"	
	1314	178.00	59.95	60.24	S21°29'20"W	19°23'20"	
	1315	178.00	42.18	42.28	S04°59'23"W	13°36'34"	
C2		272.00	62.30	62.44	S04°45'40.5"W	13°09'09"	
C3		272.00	51.70	51.78	S16°47'26.5"W	10°54'23"	
C4		15.00	20.17	22.12	N64°29'27.5"E	84°29'39"	
C5		178.00	70.11	70.57	S84°37'13"E	22°43'00"	
	1338	178.00	64.06	64.41	S83°37'43"E	20°44'00"	
	1339	178.00	6.16	6.16	N85°00'47"E	01°59'00	
C6		122.00	48.05	48.37	N84°37'13"W	22°43'00"	
C7		15.00	20.19	22.15	N30°57'44"W	84°35'58"	
C8		328.00	38.01	38.03	N08°00'58"E	06°38'34"	OUT-N04°41'41"E
C9		15.00	19.97	21.86	N46°26'23.5"E	83°29'25"	
C10		122.00	73.67	74.84	S74°14'27.5"E	35°08'53"	
C11		15.00	21.21	23.56	S11°40'01"E	90°00'00"	
C12		238.00	443.73	571.41	N35°26'51.5"W	137°33'41"	
	1387	238.00	18.61	18.62	N31°05'31.5"E	04°28'55"	
	1386	238.00	59.96	60.12	N21°36'53"W	14°28'22"	
	1385	238.00	59.96	60.12	N07°08'31"E	14°28'22"	
	1384	238.00	59.96	60.12	N07°19'51"W	14°28'22"	
	1383	238.00	29.71	29.73	N18°08'46"W	07°09'28"	
	ROW	238.00	67.02	67.24	N29°49'07"W	16°11'14"	
	OL75	238.00	92.20	92.79	N49°04'53"W	22°20'18"	
	ROW	238.00	67.02	67.24	N68°20'39"W	16°11'14"	
	1378	238.00	57.76	58.01	N83°25'12"W	13°57'52"	
	1377	238.00	57.29	57.43	S82°41'05"W	13°49'34"	
C13		172.00	37.19	37.26	N81°58'42"E	12°24'48"	
C14		228.00	49.30	49.40	N81°58'42"E	12°24'48"	
	1360	228.00	13.41	13.41	N86°50'01"E	03°22'10"	
	1361	228.00	35.95	35.99	N80°17'37"E	09°02'38"	
C15		182.00	337.57	432.20	S36°11'49"E	136°03'46"	OUT-S31°50'04"W
	1363	182.00	69.65	70.08	N86°48'09"E	22°03'42"	
	1364	182.00	95.87	97.02	S66°53'43"E	30°32'34"	
	1365	182.00	96.98	98.16	S36°10'22"E	30°54'08"	
	1366	182.00	93.38	94.44	S05°51'23"E	29°43'50"	
	1367	182.00	72.03	72.51	S20°25'18"W	22°49'32"	
C16		15.00	21.49	23.95	S77°35'01.5"W	91°29'55"	
C17		178.00	107.49	109.19	N74°14'27.5"W	35°08'53"	
	1367	178.00	73.77	74.31	N68°37'37.5"W	23°55'13"	
	1368	178.00	34.83	34.88	N86°12'04"W	11°13'40"	
C18		15.00	21.21	23.56	N46°48'54"W	90°00'00"	
C19		15.00	21.21	23.56	N43°11'06"E	90°00'00"	
C20		15.00	23.97	27.77	N38°46'13.5"W	106°05'21"	OUT-N14°16'27"E
C21		122.00	44.23	44.47	N24°43'02.5"E	20°53'11"	
C22		122.00	39.58	39.75	N80°11'35.5"W	18°40'11"	
C23		178.00	57.75	58.00	S80°11'35.5"E	18°40'11"	
	1394	178.00	36.80	36.87	S76°47'32.5"E	11°52'05"	
	1395	178.00	21.12	21.13	S86°07'38"E	06°48'06"	
C24		15.00	21.35	23.75	N44°53'33.5"W	90°43'45"	
C25		15.00	21.21	23.56	N45°28'19"E	90°00'00"	
C26		120.00	64.12	64.90	N74°02'00"W	30°59'22"	
	1448	120.00	18.96	19.98	N84°59'46"W	09°03'50"	
	1449	120.00	45.64	45.92	N69°30'05"W	21°55'32"	
C27		280.00	155.38	157.45	N74°38'53"W	32°13'08"	
	1451	280.00	45.81	45.86	N63°13'51"W	09°23'04"	
	1452	280.00	56.69	56.79	N73°44'00"W	11°37'14"	
	1453	280.00	54.71	54.80	N85°09'02"W	11°12'50"	
C28		15.00	25.04	29.62	N34°11'12.5"E	113°08'29"	
C29		183.00	97.08	98.25	S35°55'00"W	30°45'46"	IN-S51°17'53"W
	1430	183.00	59.30	59.56	S41°58'26"W	18°38'54"	
	1431	183.00	38.62	38.69	S26°35'33"W	12°06'52	
C30		120.00	62.08	62.79	S35°31'31.5"W	29°58'49"	
C31		328.00	159.43	161.04	S36°26'59"W	28°07'54"	
	1435	328.00	43.66	43.69	S46°41'59"W	07°37'54"	
	1436	328.00	61.26	61.35	S37°31'31"W	10°43'02"	
	1437	328.00	55.59	55.66	S27°18'20"W	09°43'20"	
	1438	328.00	0.35	0.35	S22°24'51"W	00°03'38"	
C32		272.00	132.21	133.55	N36°26'59"E	28°07'54"	
	1457	272.00	78.92	79.20	N30°43'32"E	16°41'00"	
	1440	272.00	54.26	54.35	N44°47'29"E	11°26'54"	
C33		150.00	77.60	78.49	N35°31'31.5"E	29°58'49"	
	1426	150.00	32.51	32.57	N44°17'42.5"E	12°26'27"	
	1427	150.00	45.74	45.92	N29°18'18"E	17°32'22	
C34		117.00	134.11	142.81	N55°30'13"E	69°56'12"	
C35		15.00	23.44	26.91	S38°08'09"E	102°47'04"	
C36		250.00	55.67	55.78	N06°51'51"E	12°47'04"	
	1408	250.00	39.08	39.12	N08°46'26"E	08°57'54"	
	1407	250.00	16.66	16.67	N02°22'54"E	03°49'10"	
C37		15.00	21.21	23.56	N45°28'19"E	90°00'00"	
C38		452.00	110.72	110.99	N82°29'35.5"W	14°04'11"	
	1399	452.00	18.77	18.78	N88°20'17"W	02°22'48"	
	1400	452.00	64.55	64.61	N83°03'13"W	08°11'11"	
	1401	452.00	27.61	27.61	N77°12'31"W	03°30'00"	
C39		373.00	226.98	230.64	S86°49'40"W	35°25'40"	
	1402	373.00	12.24	12.24	N76°23'54"W	01°52'48"	
	ROW	373.00	82.65	82.82	N83°41'58"W	12°43'20"	
	1343	373.00	52.89	52.93	S85°52'27"W	08°07'50"	
	1344	373.00	62.49	62.56	S77°00'14"W	09°36'36"	
	1345	373.00	20.08	20.08	S70°39'23"W	03°05'06"	
C40		363.00	324.66	336.59	S42°33'02"W	53°07'36"	
	1334	363.00	82.64	82.82	S62°34'40"W	13°04'20"	
	ROW	363.00	82.59	82.77	S49°30'35"W	13°03'50"	
	OL74	363.00	169.42	171.00	S29°28'57"W	26°59'26"	
C41		117.00	196.58	233.40	N73°08'09"E	114°17'50"	
C42		183.00	90.13	91.07	N63°58'18"W	28°30'44"	
C43		99.00	106.04	111.90	N45°50'45"W	64°45'50"	IN-N78°13'40"W
C44		782.00	190.09	190.56	N06°28'59"W	13°57'42"	IN-N13°27'50"W
C45		256.00	151.42	153.72	S05°02'32"W	34°24'12"	OUT-S12°09'34"E
	1323	256.00	7.86	7.86	S21°21'52"W	01°45'32"	
	1324	256.00	65.84	66.02	S13°05'49"W	14°46'34"	
	1325	256.00	79.51	79.84	S03°13'31"E	17°52'06"	
C46		15.00	19.46	21.17	S28°16'32.5"W	80°52'13"	
C47		178.00	49.25	49.41	S60°45'33"W	15°54'12"	OUT-S52°48'27"W
C48		50.00	32.66	33.27	S71°52'20"W	38°07'46"	OUT-N89°03'47"W
	1326	50.00	11.74	11.76	S59°32'20"W	13°28'46"	
	1327	50.00	21.35	21.51	S78°36'43"W	24°39'00"	
C49		60.00	86.49	280.40	S42°56'36"E	267°45'39"	OUT-N03°10'34"E
	1327	60.00	45.49	46.66	S68°39'38.5"W	44°33'09"	
	1328	60.00	45.04	46.17	S24°20'27"W	44°05'14"	
	1329	60.00	45.06	46.19	S19°45'30"E	44°06'40"	
	1330	60.00	45.06	46.19	S63°52'10"E	44°06'40"	
	1331	60.00	45.06	46.19	N72°01'10"E	44°06'40"	
	1332	60.00	47.65	49.00	N26°31'12"E	46°47'16"	
C50		50.00	51.79	54.44	N34°22'00"E	62°22'52"	OUT-N65°33'26"E
	1332	50.00	16.16	16.23	N12°28'35"E	18°36'02"	
	1333	50.00	37.28	38.21	N43°40'01"E	43°46'50"	
C51		122.00	6.71	6.71	N67°08'02.5"E	03°09'13"	
C52		15.00	19.46	21.17	S70°51'15"E	80°52'12"	OUT-S30°25'09"E
C53		256.00	44.94	45.00	S35°27'17"E	10°04'16"	
C54		15.00	19.97	21.85	S01°14'37.5"W	83°28'05"	OUT-S42°58'40"W
C55		15.00	19.97	21.85	N82°13'27.5"W	83°28'05"	IN-S56°02'30"W
C56		200.00	208.21	218.98	N09°07'24"W	62°44'02"	
	1334	200.00	10.35	10.35	N39°00'29"W	02°57'52"	
	1335	200.00	74.39	74.82	N26°48'29"W	21°26'08"	
	1336	200.00	77.00	77.48	N04°59'32"W	22°11'46"	
	1337	200.00	56.15	56.33	N14°10'29"E	16°08'16"	
C57		172.00	27.91	27.94	N88°40'28"E	09°18'22"	
C58		15.00	22.96	26.15	S36°44'01"E	99°52'40"	
C59		598.00	85.29	85.36	S09°06'58"W	08°10'42"	
C60		15.00	20.25	22.23	S47°28'59.5"W	84°54'45"	OUT-S89°56'22"W
C61		598.00	124.25	124.48	S27°22'11"W	11°55'36"	OUT-S21°24'23"W
	1352	598.00	41.61	41.61	S31°20'22"W	03°59'14"	
	1353	598.00	82.80	82.86	S25°22'34"W	07°56'22"	
C62		15.00	18.66	20.14	N59°52'00"E	76°55'14"	OUT-N81°40'23"W
C63		228.00	56.78	56.93	N88°49'33"W	14°18'20"	
	1353	228.00	44.06	44.13	N87°13'04"W	11°05'22"	
	1354	228.00	12.80	12.80	S85°37'46"W	03°12'58"	
C64		5.00	9.30	11.95	S08°12'32"W	136°55'08"	IN-N60°15'02"W OUT-N76°40'06"E
C65		63.00	102.26	119.30	N49°04'53"W	108°30'02"	OUT-S05°10'08"W
C66		5.00	9.30	11.95	N73°37'42"E	136°55'08"	OUT-N37°54'44"W
C67		15.00	13.34	13.82	N04°40'10.5"E	52°47'21"	IN-N21°43'30"W OUT-N31°03'51"E
C68		103.00	202.96	288.15	N49°04'53"W	160°17'28"	OUT-S50°46'23"W
	1383	103.00	56.37	57.10	N15°10'56"E	31°45'50"	
	1382	103.00	54.43	55.09	N16°01'15"W	30°38'32"	
	1381	103.00	54.43	55.09	N46°39'47"W	30°38'32"	
	1380	103.00	54.43	55.09	N77°18'19"W	30°38'32"	
	1379	103.00	64.68	65.80	S69°04'24"W	36°36'02	
C69		15.00	13.34	13.82	S77°10'04"W	52°47'22"	OUT-N76°26'15"W
	1379	15.00	6.13	6.17	S62°33'43"W	23°34'40"	
	1378	15.00	7.57	7.65	S88°57'24"W	29°12'42"	
C70		15.00	21.78	24.37	N24°18'22"W	93°06'16"	OUT-N22°14'46"E
C71		542.00	104.72	104.88	N27°47'23"E	11°05'13"	
C72		15.00	19.75	21.56	S36°09'20.5"E	82°21'55"	IN-N77°20'18"W
C73		542.00	74.25	74.31	N08°57'17"E	07°51'20"	OUT-N12°52'57"E
C74		15.00	22.34	25.20	S61°00'43"W	96°15'33"	
C75		210.00	88.37	89.03	S75°16'10"W	24°15'40"	IN-S63°09'16"W
	OL77	210.00	20.10	20.11	S84°40'19"W	05°29'14"	OUT-S87°24'56"W
	1414	210.00	68.50	68.81	S72°32'29"W	18°46'26"	
C76		15.00	20.49	22.56	S73°45'24.5"E	86°10'39"	
C77		153.00	114.44	117.29	N08°42'21"W	43°55'28"	
	1413	153.00	32.03	32.09	N24°39'37"W	12°00'56"	
	1412	153.00	84.11	85.21	N02°41'53"W	31°54'32"	
C78		213.00	159.32	163.29	S08°42'21"E	43°55'28"	
	1417	213.00	22.52	22.53	S10°13'36"W	06°03'34"	
	1418	213.00	46.62	46.72	S00°54'49"W	12°34'00"	
	1419	213.00	53.93	54.08	S12°58'35"E	14°32'48"	
	1420	213.00	39.91	39.97	S25°17'32"E	10°45'06"	
C79		15.00	17.32	18.46	S04°35'47"W	70°31'43"	OUT-S39°51'38"
C80		210.00	99.84	100.80	S26°06'34"W	27°30'08"	OUT-S12°21'30"W
	1421	210.00	49.18	49.29	S33°08'12"W	13°26'52"	
	1422	210.00	51.38	51.51	S19°23'08"W	14°03'16"	
C81		15.00	22.93	26.09	S62°11'42"W	99°40'24"	
C82		122.00	34.84	34.96	N59°45'32.5"W	16°25'07"	

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____

Department of Administration

VILLAGE AT AUTUMN LAKE REPLAT NO. 8

LOTS 932-1037, 1061-1086, OUTLOTS 60, 61, 65 AND PORTIONS OF MEADOWLARK DRIVE, EXPEDITION DRIVE, WOOD SORREL STREET, WOOD SORREL COURT, FIREFLY DRIVE, CLOVER BASIN LANE AND BREEZEWOOD ROAD, DISCONTINUED AND VACATED BY THE CITY OF MADISON RES-_____, RECORDED AS DOCUMENT NUMBER_____, ALL WITHIN VILLAGE AT AUTUMN LAKE REPLAT, RECORDED IN VOLUME 60-045A OF PLATS ON PAGES 230-249 AS DOCUMENT NUMBER 5201276 IN THE DANE COUNTY REGISTER OF DEEDS OFFICE, LOCATED IN THE NW1/4 OF THE SE1/4 AND THE SW1/4 OF THE SE1/4 OF SECTION 26, T8N, R10E, CITY OF MADISON, DANE COUNTY, WISCONSIN.

OWNER'S CERTIFICATE

D & R Investments III, LLC a limited liability company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said limited liability company caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat.

D & R Investments III, LLC does further certify that this plat is required by S236.10 or S236.12 Wisconsin Statutes to be submitted to the following agencies for approval or objection:

Department of Administration
Common Council, City of Madison

In witness whereof, D & R Investments III, LLC has caused these presents to be signed this _____day of_____, 2022.

D & R Investments III, LLC

_____

STATE OF WISCONSIN)
COUNTY OF DANE) S.S

Personally came before me this_____day of_____, 2022, the above person to me known to be the person who executed the foregoing instrument and acknowledged the same.

My Commission expires _____
Notary Public, Dane County, Wisconsin

MORTGAGEE CERTIFICATE

First Business Bank, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of lands contained in this plat, does hereby consent to the above Owner's Certificate and to the surveying, dividing, mapping and dedication of the lands described on this plat.

In witness whereof, said First Business Bank has caused these presents to be signed by its corporate officer(s) listed below on this_____day of_____, 2022.

First Business Bank

_____

STATE OF WISCONSIN)
COUNTY OF DANE) S.S

Personally came before me this_____day of_____, 2022, the above named officer(s) of the above named First Business Bank, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

My Commission expires _____
Notary Public, Dane County, Wisconsin

MADISON PLAN COMMISSON CERTIFICATE

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

By:_____ Date:_____
Matt Wachter, Secretary of the Plan Commission

MADISON COMMON COUNCIL CERTIFICATE

Resolved that the plat of "Village at Autumn Lake Replat Replat No. 6" located in the City of Madison, was hereby approved by Enactment Number_____, File I.D. Number_____,adopted this_____, 2022, and that said Enactment further provided for the acceptance of those lands dedicated and rights conveyed by said plat to the City of Madison for public use.

Dated this_____day of_____, 2022.

_____
Maribeth Witzel-Behl, Clerk, City of Madison, Dane County, Wisconsin

CITY OF MADISON TREASURER'S CERTIFICATE

I, Craig Franklin, being the duly appointed, qualified, and acting Treasurer of the City of Madison, Dane County, Wisconsin, do hereby certify that, in accordance with the records in my office, there are no unpaid taxes or unpaid special assessments as of this_____day of _____, 2022 on any of the lands included in the plat of"Village at Autumn Lake Replat Replat No. 6".

_____
Craig Franklin, Treasurer, City of Madison, Dane County, Wisconsin

DANE COUNTY TREASURER'S CERTIFICATE

I, Adam Gallagher, being the duly elected, qualified, and acting treasurer of the County of Dane, do hereby certify that in accordance with the records in my office, there are no unpaid taxes or special assessments as of this_____day of_____, 2022 affecting the land included in "Village at Autumn Lake Replat Replat No. 6".

_____
Adam Gallagher, Treasurer, Dane County, Wisconsin

REGISTER OF DEEDS CERTIFICATE

Received for recording this_____day of_____, 2022 at_____ _.M.

and recorded in Volume_____of Plats on Pages_____as Document Number_____.

_____
Kristi Chlebowski, Dane County Register of Deeds

D'ONOFRIO KOTTKE AND ASSOCIATES, INC.
7530 Westward Way, Madison, WI 53717
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YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT

FN:23-07-111

PLANNING DIVISION STAFF REPORT

November 13, 2023

PREPARED FOR THE PLAN COMMISSION

Project Address: **2012-2208 Wood Sorrel Street, 1901-1937 Firefly Drive, et al**

Application Type: Preliminary Plat and Final Plat

Legistar File ID # 79969

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

Summary

Applicant & Property Owner: D&R Investments, LLC/ VAL, LLC, dba Veridian Homes; 6801 South Towne Drive; Madison; Matt Brink, representative.

Surveyor: Brett Stoffregan and Dan Day, D'Onofrio Kottke & Associates; 7530 Westward Way; Madison.

Requested Actions: Approval of the preliminary plat and final plat of *Village at Autumn Lake Replat No. 8*, replatting 130 single-family lots and three outlots into 154 single-family lots, three outlots to be dedicated to the public for stormwater management and open space use, and two outlots to be used for private open space.

Proposal Summary: The proposed *Village at Autumn Lake Replat No. 8* subdivision calls for Lots 932-1037 and 1061-1086 of the Village at Autumn Lake Replat subdivision to be replatted as 154 single-family lots. Two existing outlots for private open space (60 and 61) will be reconfigured with the replat, while existing public Outlot 65 will be expanded with the replat and two additional outlots for public path and sidewalk purposes will be created. The current TR-C3 (Traditional Residential–Consistent 3 District) zoning of *Replat No. 8* is not proposed to change. Development of the Village at Autumn Lake subdivision is ongoing, with completion of the subdivision anticipated based on market demand for units.

Applicable Regulations & Standards: The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Regulations.

Review Required By: Plan Commission and Common Council.

Review Schedule: The State's subdivision statute, Wis. Stats. 236, requires that a preliminary plat be approved, conditionally approved, or rejected (with stated reasons) within 90 days of submittal unless the time is extended by agreement with the applicant. If no action is taken within 90 days and no extension granted, the plat is deemed approved. The application for preliminary plat and final plat approval was submitted to the City on September 18, 2023. Therefore, the 90-day review period for this plat was scheduled to expire circa December 17, 2023.

Summary Recommendation: The Planning Division recommends that the Plan Commission forward the preliminary plat and final plat of *Village at Autumn Lake Replat No. 8* on land generally addressed as 2012-2208 Wood Sorrel Street, 1901-1937 Firefly Drive, et al, to the Common Council with a recommendation of **approval** subject to input at the public hearing and the conditions from reviewing agencies beginning on page 5 of this report.

Background Information

Parcel Location: Replat No. 8 comprises approximately 42.93 acres of land located on the east side of Felland Road generally between Autumn Lake Parkway and Lien Road; Alder District 17 (Madison); Sun Prairie Area School District.

Existing Conditions and Land Use: Undeveloped land, zoned TR-C3 (Traditional Residential–Consistent 3 District).

Surrounding Land Uses and Zoning: The area of the proposed replat is largely surrounded by undeveloped lands in the Town of Burke interspersed with single-family residences on town parcels. The northeastern corner of the subdivision abuts a stone quarry located on Reiner Road in the Town. The western boundary of Replat No. 8 is formed by Felland Road and the remainder of the Village at Autumn Lake subdivision, which is zoned TR-P (Traditional Residential–Planned District).

Adopted Land Use Plans: The 2002 Felland Neighborhood Development Plan recommends development of most of this portion of the Village at Autumn Lake subdivision with low-density residential uses at a density of up to 8 units per acre. In general, the neighborhood development plan contemplates a mix of housing types, lot sizes, and unit prices in the low-density development areas, with an emphasis on traditional neighborhood development forms. The wooded ridge between the residential lots and Felland Road and a large parcel previously dedicated to the City for stormwater management adjacent to the southern edge of the replat are recommended in the neighborhood development plan for park, drainage, and open space.

Environmental Corridor Status: The public and private outlots within and adjacent to the proposed replat are located in mapped environmental corridors.

Public Utilities and Services: The subject site will be served by a full range of urban services as it develops. The nearest Metro Transit service is located one mile west at Lien Road and N Thompson Drive.

Zoning Summary: The proposed lots are zoned TR-C3 (Traditional Residential–Consistent 3 District).

	Required	Proposed Lots
Lot Area	3,000 sq. ft. per lot	All lots exceed
Lot Width	30’	Will comply
Minimum Front Yard	15’	To be determined at permitting
Maximum Front Yard Setback	30’ or up to 20% greater than block average	
Side Yards	5’	
Reverse Corner Side Yard Setback	8’ (10’ for garage)	
Rear Yard	Street-accessed: 20’	
Maximum Lot Coverage	75%	
Maximum Building Height	Twoe stories and 35’	
Usable Open Space	500 sq. ft. per lot	

Other Critical Zoning Items	
Yes	Utility Easements
No:	Barrier Free, Urban Design, Wellhead Protection, Floodplain, Landmarks, Waterfront Development
	Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator

Previous Approvals

On May 19, 2015, the Common Council approved a request to rezone numerous parcels in the Village at Autumn Lake subdivision generally addressed as 1710 Arial Spring Trail from TR-C3 (Traditional Residential–Consistent 3 District), PD (Planned Development District), and CN (Conservancy District) to TR-P (Traditional Residential–Planned District) and TR-C3; and approved the preliminary plat and final plat of the *Village of Autumn Lake Replat*, creating lots for 542 single-family units; 22 two-family-twin units, 8 four-unit dwellings, 48 townhouses, and 332 multi-family units, including 36 in a mixed-use node; 16 outlots dedicated to the public; and 12 outlots to be private. The Plan Commission approved a demolition permit to allow a single-family residence at 5825 Sanctuary Lane and 2009 Expedition Trail to be razed as part of the proposed replat at its May 4, 2015 meeting. The final plat was recorded on December 3, 2015.

On May 3, 2016, the Common Council approved the preliminary plat and final plat of *Village at Autumn Lake Replat No. 2* to create nine lots for single-family attached housing and one outlot for a private drive on land generally addressed as 5703 Summer Shine Drive. The final plat was recorded on March 23, 2017.

On June 19, 2018, the Common Council approved the preliminary plat and final plat of *Village at Autumn Lake Replat No. 3* to create 24 lots for the future twin homes and one outlot for private open space and access from Lot 649 of the Village at Autumn Lake Replat, 5802 Lien Road. Lot 649 had previously been identified for the future construction of 24 townhouse units. The final plat was recorded on October 23, 2018.

On February 4, 2020, the Common Council approved the preliminary plat and final plat of *Village at Autumn Lake Replat No. 4*, replatting six single-family lots and two lots to be developed with a two-family twin home (1802-1830 Twin Fawn Trail) into 10 single-family lots. The final plat was recorded on June 11, 2020.

On November 17, 2020, the Common Council approved the preliminary plat and final plat of *Village at Autumn Lake Replat No. 5*, replatting 104 lots approved for 98 future single-family residences and three two-family dwellings on six lots into 86 single-family lots, 48 lots for 24 two-family twin home dwellings, and three outlots for private open space. The final plat was recorded on May 10, 2021.

On September 20, 2022, the Common Council approved the preliminary plat and final plat of *Village at Autumn Lake Replat No. 6*, replatting 10 single-family lots at 2121-2157 Waterfall Way into 12 single-family lots. The final plat was recorded on December 20, 2022.

On November 7, 2023, the Common Council approved the preliminary plat and final plat of *Village at Autumn Lake Replat No. 7*, replatting 30 single-family lots into 17 single-family lots and 20 lots for 10 two-family twin homes. Recording of the recently approved plat is pending.

Project Description, Analysis & Conclusion

The applicant, Veridian Homes, is requesting approval of the preliminary plat and final plat of *Village at Autumn Lake Replat No. 8* to allow 130 lots platted for single-family detached residences (Lots 932-1037 and 1061-1086 of the Village at Autumn Lake Replat) to be replatted as 154 single-family lots. The replat encompasses about 42.93 acres of the approximately 75.4 acres of the *Village at Autumn Lake* subdivision located on the east side of Felland Road. The overall *Village at Autumn Lake* subdivision encompasses approximately 240 acres of land on both sides of Felland Road north of existing and future Lien Road.

The replat will maintain the existing platted street network, with access to the portions of the subdivision east of Felland Road to be provided by platted but unbuilt Tranquility Trail and Woodbine Drive. The current TR-C3 (Traditional Residential–Consistent 3 District) zoning of *Replat No. 8* is not proposed to change. According to the letter of intent submitted with the request, the applicant "would like to increase density within the proposed plat to accommodate current market conditions." The proposed replat is consistent with a number of other replats proposed and approved in the Village at Autumn Lake development since 2015, which have seen the number of overall units increased, as well as the variety of unit types throughout the subdivision adjusted, resulting in a greater diversity of housing options throughout.

In addition to the replat to increase the number of future single-family lots east of Felland Road, two existing outlots for private open space (60 and 61) will be reconfigured as Outlots 74 and 75, while existing public Outlot 65 will be expanded with the replat (see Outlot 79 in the southeastern corner of the replat). Two additional outlots, 77 and 78, will be dedicated with the replat for public path and sidewalk purposes. Currently, a future north-south path/sidewalk planned along the eastern edge of this portion of the subdivision is located in a 20-foot wide easement established with the 2015 replat.

Staff believes that the Plan Commission may find the standards for subdivision approval met with the proposed replat. All of the proposed lots meet the minimum lot width and area requirements in the TR-C3 district, and staff believes that the proposal is consistent with the low-density residential recommendations for the site in the Felland Neighborhood Development Plan, which calls for the development of this portion of the Village at Autumn Lake development with a mix of housing types and lot sizes at a density up to eight (8) units per acre. The resulting development pattern should result in the diverse mix of housing types and lot sizes as generally recommended for the larger subdivision by the neighborhood development plan.

Recommendation

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

The Planning Division recommends that the Plan Commission forward the preliminary plat and final plat of *Village at Autumn Lake Replat No. 8* on land generally addressed as 2012-2208 Wood Sorrel Street, 1901-1937 Firefly Drive, et al, to the Common Council with a recommendation of **approval** subject to input at the public hearing subject to input at the public hearing and the conditions that follow.

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

Planning Division

1. The applicant shall submit to the Planning Division two copies of private subdivision covenants, conditions and restrictions, and easements that will govern the organizational structure, use, maintenance and continued protection of the development and any common services, open areas or other facilities to serve the proposed replat. These documents shall be approved by the Planning Division in consultation with the City Attorney's Office prior to final approval of the plat for recording.

2. If applicable, the applicant shall demonstrate compliance with the requirements in Section 16.23(8)(f)8 of the Subdivision Regulations for the privately-owned and maintained open space on proposed Outlot 74, including the execution of land use restrictions and open space easements in a form acceptable to the Parks Division, Planning Division, and City Attorney's Office. These documents shall be approved by the Planning Division in consultation with the City Attorney's Office prior to final approval of the plat for recording.

The following conditions of approval have been submitted by reviewing agencies:

City Engineering Division (Contact Brenda Stanley, (608) 261-9127)

3. Off-site sanitary sewer improvements are required for this development by the developer for lots south of the intersection of proposed August Moon Drive and Firefly Drive. The sewer that will need to be extended outside of the platted streets will be located on Felland Road north of proposed Woodbine Drive.

4. The stormwater management plan will need to be revised to show that the measures currently provided are able to accept and accommodate the runoff from the new higher density development.

5. 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. Contact the City Engineering Division to schedule the development and approval of the plans and the agreement.

6. The developer shall construct Madison standard street, multi-purpose path, and sidewalk improvements for all streets within the plat.

7. The developer shall construct sidewalk/path, terrace, curb and gutter, and up to 14 feet of pavement along Felland Road to a plan approved by City Engineer.

8. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat

9. This development is subject to impact fees for the Felland Road Neighborhood Sanitary Sewer Improvement Impact Fee District. All impact fees are due and payable at the time building permits are issued. The following note shall put on the face of the plat: "Lots/ buildings within this development are subject to impact fees that are due and payable at the timebuilding permit(s) are issued."

10. Madison Metropolitan Sewerage District (MMSD) connection 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.

11. 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 nine (9) feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.

12. 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 the mitigating improvements as required by the City. Caution - The improvements indicated may require right of way outside of the plat.

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

13. Any portion(s) of a public easement that is intended to be released shall be released by separate document prepared by City Office of Real Estate Services. Contact Jeff Quamme of Engineering-Mapping (jrquamme@cityofmadison.com, 608-266-4097) to coordinate the Real Estate project, and associated information and fees required. If any release is required prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the plat. There are numerous areas of utility easements which include public interest that will need to be released by the City along with any required portions of the roof drain restriction on Lot 1007 that will require release. Release the 60-foot Radius Temporary Turnaround easement at the end of Expedition Drive.

14. The applicant shall dedicate in kind those connecting segments or replacements for those right of way along Breezewood Road, Meadowlark Drive, Expedition Drive, Wood Sorrel Street, Wood Sorrel Court, Firefly Drive and all of Clover Basin Lane that have been proposed to be discontinued. The final size and locations of the dedications shall be approved by City Engineering and Traffic Engineering.

15. The developer shall have the City petition for the street discontinuance and vacation of portions of Breezewood Road, Meadowlark Drive, Expedition Drive, Wood Sorrel Street, Wood Sorrel Court, Firefly Drive, and all of Clover Basin Lane. Provide a legal description and sketch of the rights of way to be vacated and other required materials after first consulting with Engineering Mapping Staff. Contact Jule Smith (JSmith4@cityofmadison.com) of City Engineering, Land Information.

16. List the easements in both the preliminary plat and the final plat list the easements over Outlots 62 and 63 for stormwater and drainage per Village at Autumn Lake Replat and cite its document number. Additionally, show the 5-foot easement along the outside Lot 1430 if it is not being released.

17. Shown on both the preliminary plat and final plat a temporary limited easement for a temporary turn around on Expedition Drive to be replaced in kind with the size and location to be approved by the City Engineering and Traffic Engineering Divisions. Include the following language on the plat: “Temporary Limited Easement benefitting the City of Madison for temporary turnaround improvement purposes. Said Easement shall

terminate upon the extension of Expedition Drive east of this plat along with the removal of the public temporary turnaround improvements within the easement area."

18. The applicant shall 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.

19. Insert standard language pre MGO Section 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 final plat.

20. As required by Ordinance, provide private Easements or private Outlots to accommodate the current USPS required centralized delivery of mail using Cluster Box Units (CBUs). Coordinate the locations of the CBUs with the USPS Development Coordinator, City Engineering and City Traffic Engineering Staff and in accordance with the Policies for Cluster Box Units as adopted by the City of Madison Board of Public Works. CBUs serving this land division will not be permitted within any publicly owned or dedicated lands.

    If the Developer is not able to determine the final locations of the CBUs prior to recording the final plat, the final placement of CBUs for each phase of development within this land division shall be determined prior to construction. The locations for each phase shall as required by Ordinance, in accordance with the Policies for Cluster Box Units as adopted by the City of Madison Board of Public Works and in compliance with United States Postal Service requirements.

    The required CBU documents shall be recorded prior to the start of construction of the public improvements serving any Lot or Outlot. In the instance of land divisions that do not require the construction of public improvements or a contract with the developer, the required approved CBU documents shall be recorded simultaneously with the final approved land division.

    Construct the CBUs in accordance with the specifications approved by the Board of Public Works.

21. Remove existing Outlot 65 from the limits of the plat and shorten proposed Outlot 79 in both the final plat and preliminary plat accordingly and adjust the legal descriptions to accommodate. This area has been dedicated prior and will remain dedicated as it is with the bike path easement remaining over it.

22. Dedicate the truncated Outlot 79 for a single purpose, for Sidewalk and Bike Path purposes and grant an easement for stormwater purposes as needed for the remainder. Update the as needed on both the final plat and the preliminary plat.

23. The 20-foot wide bike path easement along the easterly line of the plat shall remain in place for the full length of the plat limits. The developer may dedicate this area to the City without removing the easement even for similar use.

24. The 6-foot wide bike path easement along the North line of Lot 1007 shall remain in place. The developer may dedicate over this area to the City without removing the easement even for similar use.

25. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The developer's surveyor and/or applicant must submit copies of required tie sheets or monument condition reports for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com). If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office and shall be attached to a signed and sealed monument condition report. The applicant shall identify monument types on all PLS corners included on the plat. Note: Land tie to two PLS corners required.

26. Prior to City Engineering Division final sign-off by main office for the plat, the final plat must be submitted to the Engineering Division Surveyor/ Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two (2) working days prior to final Engineering Division sign-off. Electronic mail submittal of the FINAL plat in PDF form is preferred. Transmit to jrquamme@cityofmadison.com.

27. Per MGO Section 16.23(7) the location, right-of-way width, and names of any adjacent existing streets, alleys or other public ways, easements and railroad and utility rights-of-way, the existing underlying streets and easements to be released are not shown on the preliminary plat. These shall be shown.

28. Properly show the right of way widths of Tranquility Drive as 70 feet and the northerly portion of August Moon Drive as 66 feet for both the preliminary plat and the final plat.

29. Clearly label Meadowlark Drive as "Dedicated to the Public" for the portion South of Expedition Drive.

30. List the Datum and Adjust for the Coordinates used Example - NAD 83(97).

31. The applicant shall submit to Jeff Quamme, prior to final 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: 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 and electronic data for any changes to the plat which occur subsequent to any submittal of data.

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

32. Prior to final sign-off, the applicant shall work with the Traffic Engineering Division Electrical Section to record the necessary easements for streetlights. Typically, Traffic Engineering requires a 12-foot easement between lots and 6-foot easements on corner lots where streetlights are needed. Easements are required between lots: 1055-1056, 1453-1452, 1041-1040, 1424-1423, 1459-1460, 1412-1411, 1431-1430, 1405-1404, 1394-1395, 1339-1340, 1336-1335, 1327-1326, 1388-1387, 1383-1384, 1320-1319, 1370-1369, 1360-1361, 1363-1364, 1384-1383. Easements are required on the corner of lots: Outlot 65, 1057, 1038, Outlot 64, 1434, 1414, 1415, 1403, 1402, 1334, Outlot 74, 1393, 1358, 1359

33. The applicant shall add a note to the plat stating no driveway shall be constructed that interferes with the orderly operation of the pedestrian walkway. This will require all pedestrian ramps to be constructed separate from driveway entrances; a curb-head of no less than six (6) inches in width shall be constructed between all pedestrian ramps and driveway entrances. This is especially important at 'T' intersections where lot and building layout become critical; to prevent interference with the pedestrian ramp, lots intersecting or adjacent 'T' intersection may require a shared driveway and access.

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

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

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

34. All portions of the exterior walls of newly constructed one- and two-family dwellings shall be within 500 feet of at least one fire hydrant. Distances are measured along the path traveled by the fire truck as the hose lays off the truck. See MGO Section 34.507 for additional information.

35. The Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D. An upgrade to include a fire sprinkler system with a cost estimate shall be made available for all initial single- or two-family home sales.

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

36. Note that records indicate deferred water main assessments exist against this parcel. Improvements, which substantially change the use of the property, may require any outstanding deferred assessments to be paid in full prior to proceeding with the proposed improvements (MGO 4.081(4)). Please contact Danah Enright of the City of Madison Finance Department to review the status of the deferred water main assessment associated with this property at: (608) 266-4008 or denright@cityofmadison.com.

37. The developer shall construct the public water distribution system and services required to serve the proposed subdivision plat per MGO Section 16.23.

38. All public water mains and water service laterals shall be installed by a standard City subdivision contract / City- Developer agreement. The applicant shall contact City Engineering Division to schedule the development of plans and the agreement.

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

39. Note: The northern portion of the proposed development remains part of Metro Transit's paratransit service area, due to eligibility under the historic route network from Spring of 2023, but all parcels would be greater than the three-quarter mile regulatory distance from all day scheduled service for passengers to generally be eligible for door-to-door paratransit service. The closest bus stop with regularly scheduled bus service under the revised route network design is over one mile walking distance.

Parks Division (Contact Kathleen Kane, (608) 261-9671)

40. Park Impact Fees (comprised of the Park-Infrastructure Impact Fee, per MGO Sec. 20.08(2), and Park-Land Impact Fees, per MGO Sec. 16.23(6)(f) and 20.08(6) will be required for all new residential development

associated with this project. This development is within the East Park-Infrastructure Impact Fee district. Please reference ID #12118.7 when contacting Parks Division staff about this project.

41. The following note should be included on the subdivision: "Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued." The Parks Division shall be required to sign off on this subdivision prior to recording.

Forestry Section (Contact Jeffrey Heinecke, (608) 266-4890)

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

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

This agency reviewed the project and determined that a Transportation Demand Management (TDM) Plan is not required.

Office of Real Estate Services

42. 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 possible, 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 prior to obtaining approval sign-off.

43. 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.

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

45. 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.

46. If any portion of the lands within the plat boundary are subject to an Option to Purchase or other Option interest please include a Certificate of Consent for the option holder and executed prior to approval sign-off.

47. The property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to plat recording. 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, Wisconsin 53701

48. 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 final plat approval sign-off.

49. The owner shall furnish to Andy Miller in the City's Office of Real Estate Services as well as the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report 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.

50. The Office of Real Estate Services is still reviewing the final plat and title report and may have additional comments to be addressed by the applicant prior to final approval and recording of the plat.

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 79992

File ID:	79992	**File Type:**	Resolution	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	PLAN COMMISSION
				File Created Date :	09/21/2023
File Name:	CSM - 304-381 N Broom St et al			**Final Action:**	

Title: Approving a Certified Survey Map of property owned by Core Spaces, LLC located at 405-407 and 431 W Gorham Street, 408-430 W Johnson Street, and 304-318 N Broom Street (District 4).

Notes:

Sponsors:	Planning Division	**Effective Date:**	
Attachments:	Locator Maps.pdf, Application.pdf, 304-318 N Broom St CSM.pdf, Staff Comments.pdf, Public Comment - CANA.pdf, Link to Demo Permit 79966, Link to Rezoning File 80329, Link to Ord-Height Map File 80308, Link to Conditional Use File 79967, Link to Land Use Restriction File 80423	**Enactment Number:**	
Author:		**Hearing Date:**	
Entered by:	tparks@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	PLAN COMMISSION	11/13/2023	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER				Pass

Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER. The motion passed by voice vote/other.

Notes: On a motion by Ald. Figueroa Cole, seconded by Ald. Duncan, the Plan Commission found the standards met and recommended approval of the Certified Survey Map to the Common Council subject to the comments and conditions in the Plan Commission materials. The motion to recommend approval passed by voice vote/ other.

Text of Legislative File 79992

Title
Approving a Certified Survey Map of property owned by Core Spaces, LLC located at 405-407 and 431 W Gorham Street, 408-430 W Johnson Street, and 304-318 N Broom Street (District

4).

Body
WHEREAS a Certified Survey Map of property owned by Core Spaces, LLC located at 405-407 and 431 W Gorham Street, 408-430 W Johnson Street, and 304-318 N Broom Street, City of Madison, Dane County, Wisconsin has been duly filed for approval by the Plan Commission, its Secretary or their designee, as provided for in Section 16.23(4)(f) of Madison General Ordinances; and

WHEREAS Chapter 236, Wisconsin Statutes requires that the Madison Common Council approve any dedications proposed or required as part of the proposed division of the lands contained on said Certified Survey Map;

NOW THEREFORE BE IT RESOLVED that said Certified Survey Map, bond and subdivision contract, subsequent affidavits of correction, parkland acquisition documents, easement or right-of-way release or procurement documents or any other related document or documents as deemed necessary by the Secretary of the Plan Commission in accordance with the approval of said Certified Survey Map are hereby approved by the Madison Common Council.

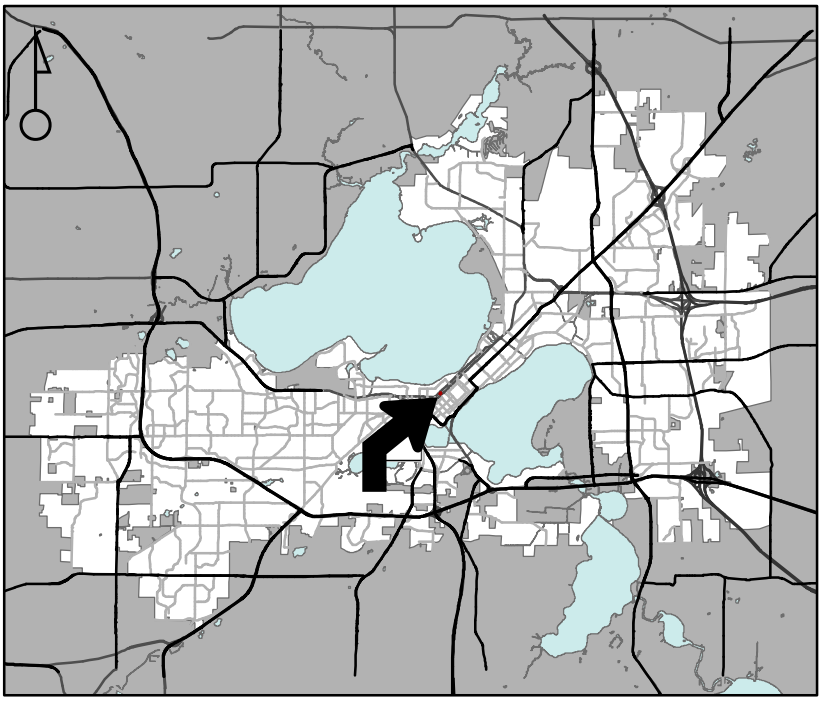
BE IT FURTHER RESOLVED that the Mayor and City Clerk of the City of Madison are hereby authorized to sign the above mentioned documents related to this Certified Survey Map.

BE IT FURTHER RESOLVED that all dedications included in this Certified Survey Map or required as a condition of approval of this Certified Survey Map be and are hereby accepted by the City of Madison.

BE IT FURTHER RESOLVED that the Planning Division is authorized to reflect the recorded Certified Survey Map in the Comprehensive Plan and any applicable neighborhood plans.

City of Madison

Demolition, Rezoning, Conditional Use & Certified Survey Map Referral



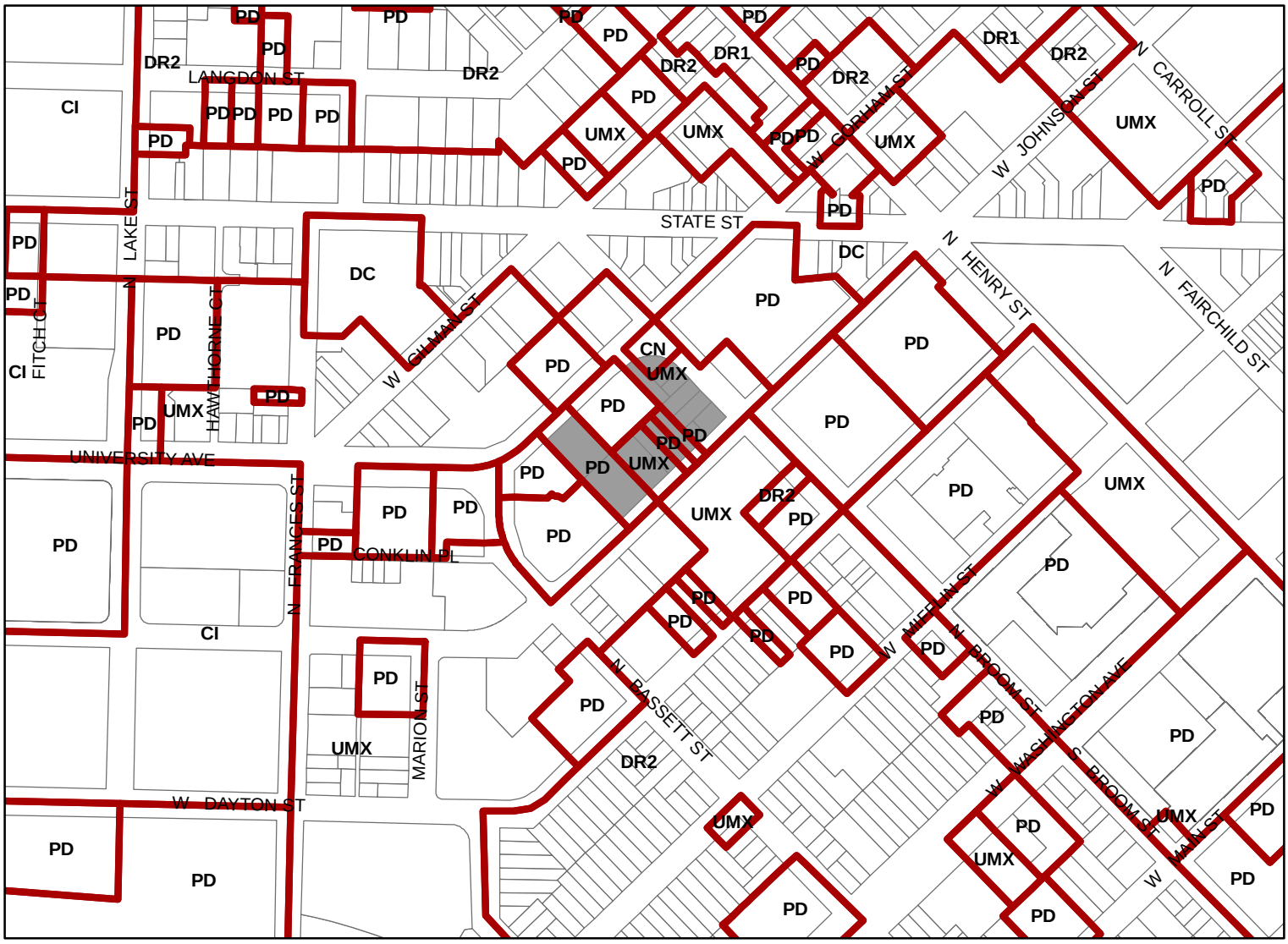
Location
405-407 & 431 W Gorham St., 408-430 W Johnson St., 304-318 N Broom St

Applicant
Chad Matesi, Core Madison Broom, LLC
Brian Munson, Vandewalle & Associates

Requests
- Demolish 13 residential buildings
- Rezone from UMX, CN & PD to UMX
- Conditional Uses to construct 8- to 14-story, 459-unit apartment building
- CSM to create one lot

Public Hearing Date
Plan Commission
November 13, 2023
Common Council
November 21, 2023

For Questions Contact: Chris Wells at: 261-9135 or cwells@cityofmadison.com or City Planning at 266-4635



Scale 1" = 400'

City of Madison, Planning Division : JC : Date : 8-14-23

City of Madison

405-407 & 431 W Gorham St/408-430 W Johnson St/ 304-318 N Broom St



Date of Aerial Photography : Spring 2022

SUBDIVISION APPLICATION

**** Please read both pages of the application completely and fill in all required fields ****

For a digital copy of this form with fillable fields, please visit:
https://www.cityofmadison.com/sites/default/files/city-of-madison/development-services-center/documents/SubdivisionApplication.pdf

If you need an interpreter, translator, materials in alternate formats or other accommodations to access these forms, please call the Planning Division at (608) 266-4635.

Si necesita interprete, traductor, materiales en diferentes formatos, u otro tipo de ayuda para acceder a estos formularios, por favor llame al (608) 266-4635.

Yog tias koj xav tau ib tug neeg txhais lus, tus neeg txhais ntawv, los sis xav tau cov ntaub ntawv ua lwm hom ntawv los sis lwm cov kev pab kom paub txog cov lus qhia no, thov hu rau Koog Npaj (Planning Division) (608) 266-4635.

City of Madison
Planning Division
Madison Municipal Building, Suite 017
215 Martin Luther King, Jr. Blvd.
P.O. Box 2985
Madison, WI 53701-2985
(608) 266-4635

NOTICE REGARDING LOBBYING ORDINANCE: If you are seeking approval of a development that has over 40,000 square feet of non-residential space, or a residential development of over 10 dwelling units, or if you are seeking assistance from the City with a value of $10,000 (including grants, loans, TIF or similar assistance), then you likely are subject to Madison's lobbying ordinance (M.G.O. Sec. 2.40). You are required to register and report your lobbying. Please consult the City Clerk's Office for more information. Failure to comply with the lobbying ordinance may result in fines.

1. Application Type

☐ Preliminary Subdivision Plat ☐ Final Subdivision Plat ☑ Land Division/Certified Survey Map (CSM)

If a Plat, Proposed Subdivision Name: _____

2. Review Fees

- For Preliminary and/or Final Plats, an application fee of $250, plus $50 per lot or outlot contained on the plat.
- For Certified Survey Maps, an application fee of $250 plus $200 per lot and outlot contained on the CSM.

Make checks payable to "City Treasurer" and mail it to the following address: City of Madison Building Inspection; P.O. Box 2984; Madison, WI 53701-2984. Please include a cover page with the check which includes the project address, brief description of the project, and contact information.

3. Property Owner and Agent Information

Name of Property Owner: JDM Properties, LLC & Multiple Owners
Representative, if any: Doug Tichenor, Core Spaces, LLC
Street address: 101 N Mills Street, Madison, WI 53715
City/State/Zip: 1643 N Milwaukee Avenue, 5th Floor, Chicago, IL 60647
Telephone: 608-819-6500
Email: dougt@corespaces.com

Firm Preparing Survey: Vierbicher Associates
Contact: Mike Ziehr / Justin Zampardi
Street address: 999 Fourier Drive, Suite 201, Madison, WI 53717
City/State/Zip: Madison, WI 53717
Telephone: 608-821-3962
Email: mzie@vierbicher.com / jzam@vierbicher.com

Check only ONE – ALL Correspondence on this application should be sent to: ☐ Property Owner, OR ☑ Survey Firm

4. Property Information for Properties Located within Madison City Limits

Parcel Addresses: 405, 407, 431 W. Gorham, 408, 412, 414, 416, 422, 430 W Johnson & 304, 308, 312, 314, 318 N Broom
Tax Parcel Number(s): 0709-231-0507-1, 0506-3, 0505-5, 0504-7, 0503-9, 0502-1, 0501-3, 0529-5, 0528-7, 0527-9, 0526-1, 0525-3, 0524-5 & 0515-4
Zoning District(s) of Proposed Lots: PD, UMX
School District: Madison

- **Please include a detailed description of the number and use of all proposed lots and outlots in your letter of intent.**

4a. Property Information for For Properties Located *Outside* the Madison City Limits in the City's Extraterritorial Jurisdiction:

Parcel Addresses (note town if located outside City): N/A
Date of Approval by Dane County: N/A
Date of Approval by Town: N/A

- **For an exterritorial request to be scheduled, approval letters from both the Town and Dane County must be submitted.**

5. Subdivision Contents and Description. Complete table as it pertains to your request; do not complete gray areas.

Land Use	Lots	Outlots	Acres
Residential	1		1.68
Retail/Office			
Industrial			

Land Use	Lots	Outlots	Acres
Other (state use):			
Outlots Dedicated to the Public (Parks, Stormwater, etc.)			
Outlots Maintained by a Private Group or Association			
PROJECT TOTALS			

6. Required Submittal Materials

Digital (PDF) copies of all items listed below (if applicable) are required. Applicants are to submit each of these documents as *individual PDF files* in an e-mail sent to PCapplications@cityofmadison.com. The transmittal shall include the name of the project and applicant. Note 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. Electronic submittals via file hosting services (such as Dropbox) are *not* allowed. Applicants who are unable to provide the materials electronically should contact the Planning Division at Planning@cityofmadison.com or (608) 266-4635 for assistance.

☐ **A Completed Subdivision Application Form** (i.e. both sides of this form)

☐ **Map Copies** (prepared by a Registered Land Surveyor):

- For Preliminary Plats, the drawings must be drawn to scale and are required to provide all information as set forth in M.G.O. Sec. 16.23 (7)(a).
- For Final Plats, the drawings must be drawn to scale and drawn to the specifications of §236.20, Wis. Stats..
- For Certified Survey Maps (CSMs), the drawings shall include all of the information set forth in M.G.O. Secs. 16.23 (7)(a) and (d), including existing site conditions, the nature of the proposed division and any other necessary data. Utility data (field located or from utility maps) may be provided on a separate map submitted with application.

For Plat & CSMs, in addition to the PDF copy, a digital CADD file shall also be submitted 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 plat, preliminary plat or CSM as submitted: 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 in title and shown on the plat or CSM including wetland & floodplain boundaries.)

☐ **Letter of Intent**: One copy of a letter describing the proposed subdivision or land division in detail including, but not limited to:

- The number and type/use of the lots and outlots proposed with this subdivision or land division, including any outlots to be dedicated to the public;
- Existing conditions and uses of the property;
- Phasing schedule for the project, and;
- The names of persons involved (property owner(s), subdivider, surveyor, civil engineer, etc.).

* *The letter of intent for a subdivision or land division may be the same as the letter of intent submitted with a concurrent Land Use Application for the same property.*

** *A letter of intent is not required for Subdivision Applications for lot combinations or split duplexes.*

☐ **Report of Title and Supporting Documents**: One copy of a City of Madison standard 60-year Report of Title obtained from a title insurance company as required in M.G.O. Sec. 16.23 and as satisfactory to the Office of Real Estate Services. Note:

- *The Report of Title must have been completed within three (3) months of the submittal date of this application. Title insurance or a title commitment policy are NOT acceptable* (i.e. a Preliminary Title Report or a Record Information Certificate).
- The electronic PDF submittal shall include images of the vesting deeds and all documents listed in the Report of Title.
- *Do not email these files to the City's Office of Real Estate Services*. Send them instead to the email address noted at the top of this page.

☐ **For Surveys Outside the Madison City Limits**: One copy of the approval letters from the town where the property is located *and* Dane County shall be submitted with your request. The Plan Commission may not consider an application within its extraterritorial jurisdiction without prior approval from the town and Dane County.

7. Applicant Declarations:

The signer attests that the application has been completed accurately and all required materials have been submitted:

Applicant's Printed Name: Michael J. Ziehr Signature: _____

Date: September 18,2023 Interest In Property On This Date: Land Surveyor

vierbicher
planners | engineers | advisors

Letter of Transmittal

999 Fourier Drive, Suite 201
Madison, Wisconsin 53717
(608) 826-0532 phone
(608) 826-0530 FAX
www.vierbicher.com

Date:	September 18, 2023
Project No.	220322
Re:	Core Spaces, Johnson & Broom Street CSM Submittal
File:	

Attn: Tim Parks
To: Dept. of Planning & Community & Economic Development
215 Martin Luther King Jr Blvd., Suite 17
Madison, WI 53703

WE ARE SENDING YOU:

- [x] Attached
- [ ] Under separate cover via _____ the following items:
  - [ ] Shop Drawings
  - [ ] Prints
  - [ ] Plans
  - [ ] Samples
  - [ ] Specifications
  - [ ] Copy of Letter
  - [ ] Change Order
  - [ ] Report

Copies	Date	No.	Description
1	09/18/2023		1-Lot CSM
1	09/18/2023		Subdivision Application Form, Check for Review Fees ($450) mailed today
1	09/18/2023		Letter of Intent
1	09/18/2023		60 Year Title Report

THESE ARE TRANSMITTED AS CHECKED BELOW:

- [x] For approval
- [ ] For your use
- [ ] As requested
- [x] For review & comment
- [ ] FOR BIDS DUE: _____ (Date)
- [ ] Approved as submitted
- [ ] Approved as noted
- [ ] Returned for corrections
- [ ] For your file
- [ ] Resubmit _____ copies for approval
- [ ] Submit _____ copies for distribution
- [ ] Return _____ corrected prints
- [ ] _____
- [ ] RETURNED AFTER LOAN TO US

REMARKS:

An electronic copy of this submittal was sent this morning to pcapplications@cityofmadison.com

Please contact us if you need any more information or if you have any questions. Thank you

Copy to _____ Signed Michael J. Ziehr, P.L.S.

If enclosures are not as noted, kindly notify us at once.

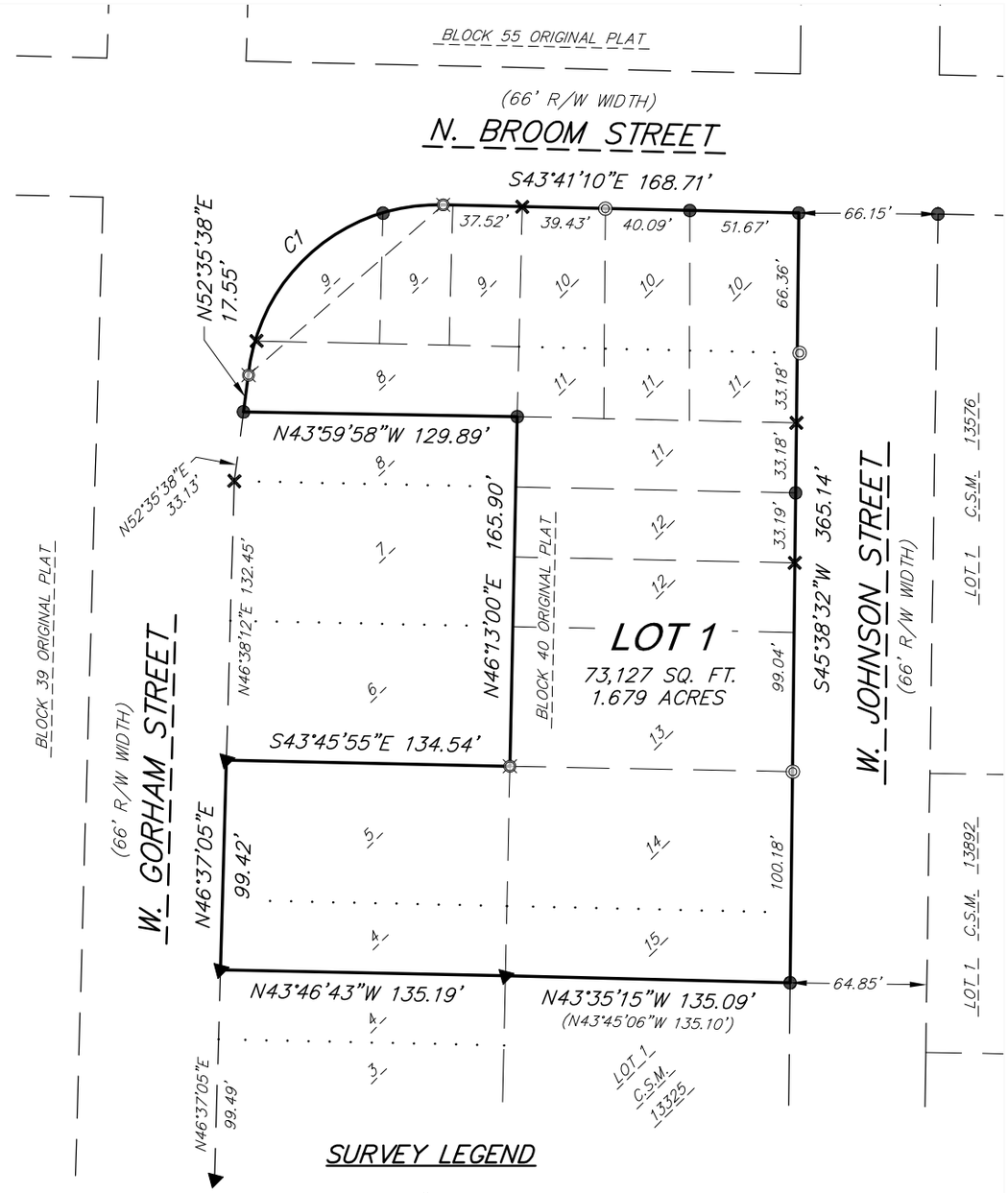
CERTIFIED SURVEY MAP No._____

PART OF LOTS 4, 8, 9 AND 15, BLOCK 40 AND ALL OF LOTS 5, 10, 11, 12, 13 AND 14, BLOCK 40, ORIGINAL PLAT OF MADISON AS RECORDED IN VOLUME A OF PLATS, ON PAGE 3, AS DOCUMENT NUMBER 102 AND LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 23, TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN

0 80 160

SCALE: 1" = 80'

NOTE: SEE SHEET 2 FOR THE SECTION TIE DETAIL AND SHEET 3 FOR SITE DETAILS AND EASEMENTS



CURVE DATA

NUMBER	CENTRAL ANGLE	RADIUS	ARC	CHORD BEARING	CHORD	TAN BRG BACK	TAN BRG AHEAD
C1	85°57'36"	90.00'	135.03'	S 86°09'26" E	122.71'	N50°51'46"E	S43°10'38"E

SURVEY LEGEND

- ◎ FOUND 1" ø IRON PIPE (UNLESS OTHERWISE NOTED)
- ▲ FOUND P.K. NAIL
- ● FOUND 3/4" ø IRON ROD
- × FOUND CHISELED "X"
- ⊠ SET 3/4" x 18" SOLID IRON RE-ROD, MIN. WT. 1.50 lbs./ft.
- ( ) INDICATES RECORDED AS

DISTANCES ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT

GRID NORTH
BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY, WISCONSIN, THE NORTH LINE OF THE NE 1/4 OF SECTION 23 MEASURED AS BEARING S88°46'41"E

20 Jul 2023 - 8:26p M:\Core Spaces\220322 - McCormick Apartments\CADD\220322 - CSM.dwg by: mzie

vierbicher
planners | engineers | advisors
Phone: (800) 261-3898

FN: 220322
DATE: 07/20/2023
REV:
Drafted By: MZIE
Checked By: JZAM

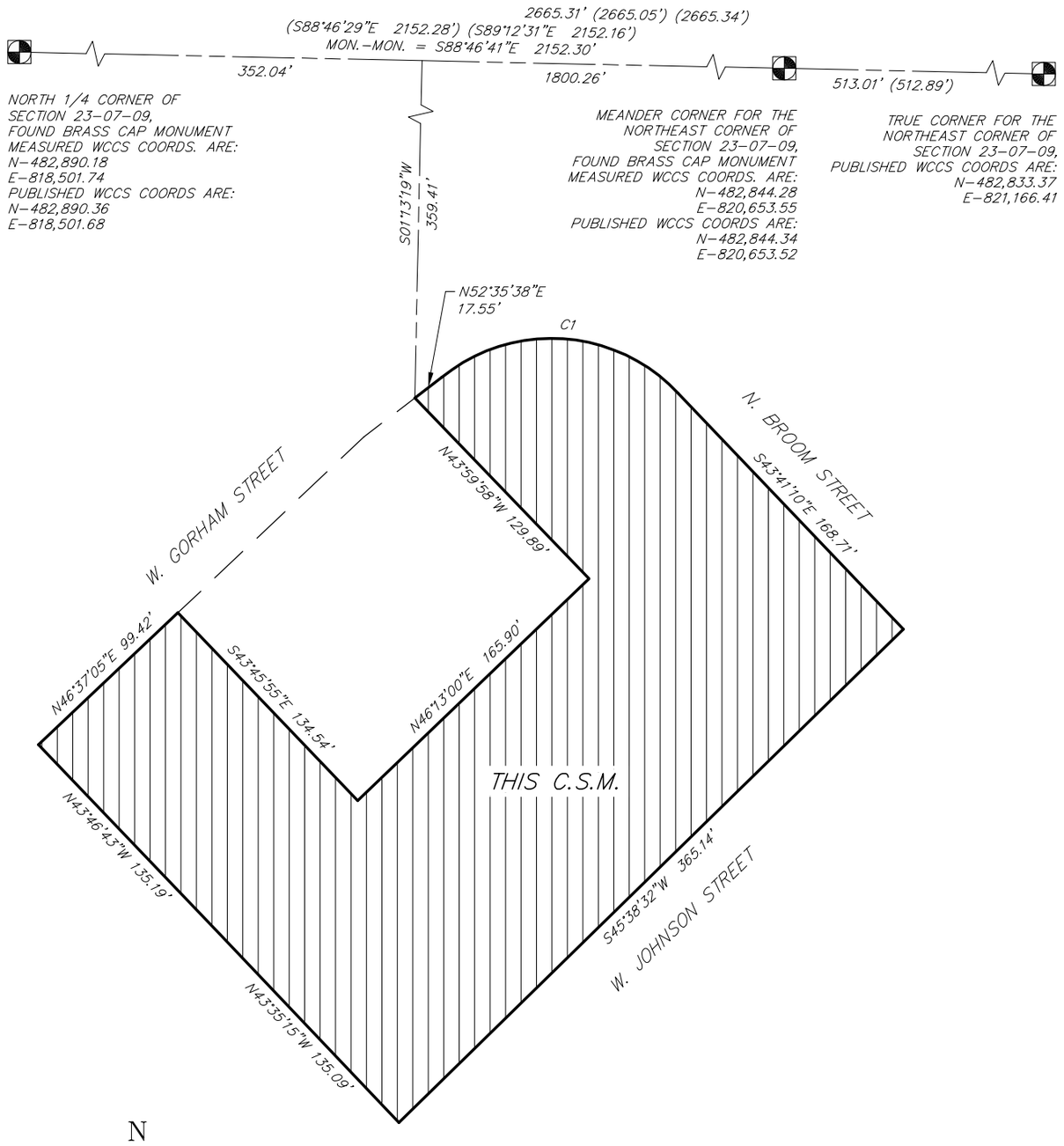
SURVEYED FOR:
Core Spaces, LLC
1643 N. Milwaukee Ave.
5th Floor
Chicago, IL 60647

C.S.M. No._____
Doc. No._____
Vol._____ Page_____

SHEET 1 OF 7

CERTIFIED SURVEY MAP No._____

PART OF LOTS 4, 8, 9 AND 15, BLOCK 40 AND ALL OF LOTS 5, 10, 11, 12, 13 AND 14, BLOCK 40, ORIGINAL PLAT OF MADISON AS RECORDED IN VOLUME A OF PLATS, ON PAGE 3, AS DOCUMENT NUMBER 102 AND LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 23, TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN



SECTION TIE DETAIL

(NOT TO SCALE)



GRID NORTH
BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY, WISCONSIN, THE NORTH LINE OF THE NE 1/4 OF SECTION 23 MEASURED AS BEARING S88°46'41"E

NOTE:
THE U.S. PUBLIC LAND SURVEY MONUMENTS SHOWN ON THIS C.S.M. HAVE BEEN FOUND AND VERIFIED ALONG WITH THEIR CORRESPONDING WITNESS TIES. THE MONUMENTS AND WITNESS TIES CHECK WITH DANIEL RODMAN'S TIE SHEET DATED NOVEMBER 04, 2008 FOR THE MEANDER CORNER FOR THE NORTHEAST CORNER OF SECTION 23–07–09 AND GREGORY JONES TIE SHEET DATED DECEMBER 16, 2008 FOR THE NORTH 1/4 CORNER OF SECTION 23–07–09. THE DATE OF FIELD RECOVERY FOR EACH CORNER WAS JANUARY 24, 2023.

20 Jul 2023 - 8:26p M:\Core Spaces\220322 - McCormick Apartments\CADD\220322 - CSM.dwg by: mzie

vierbicher
planners | engineers | advisors
Phone: (800) 261-3898

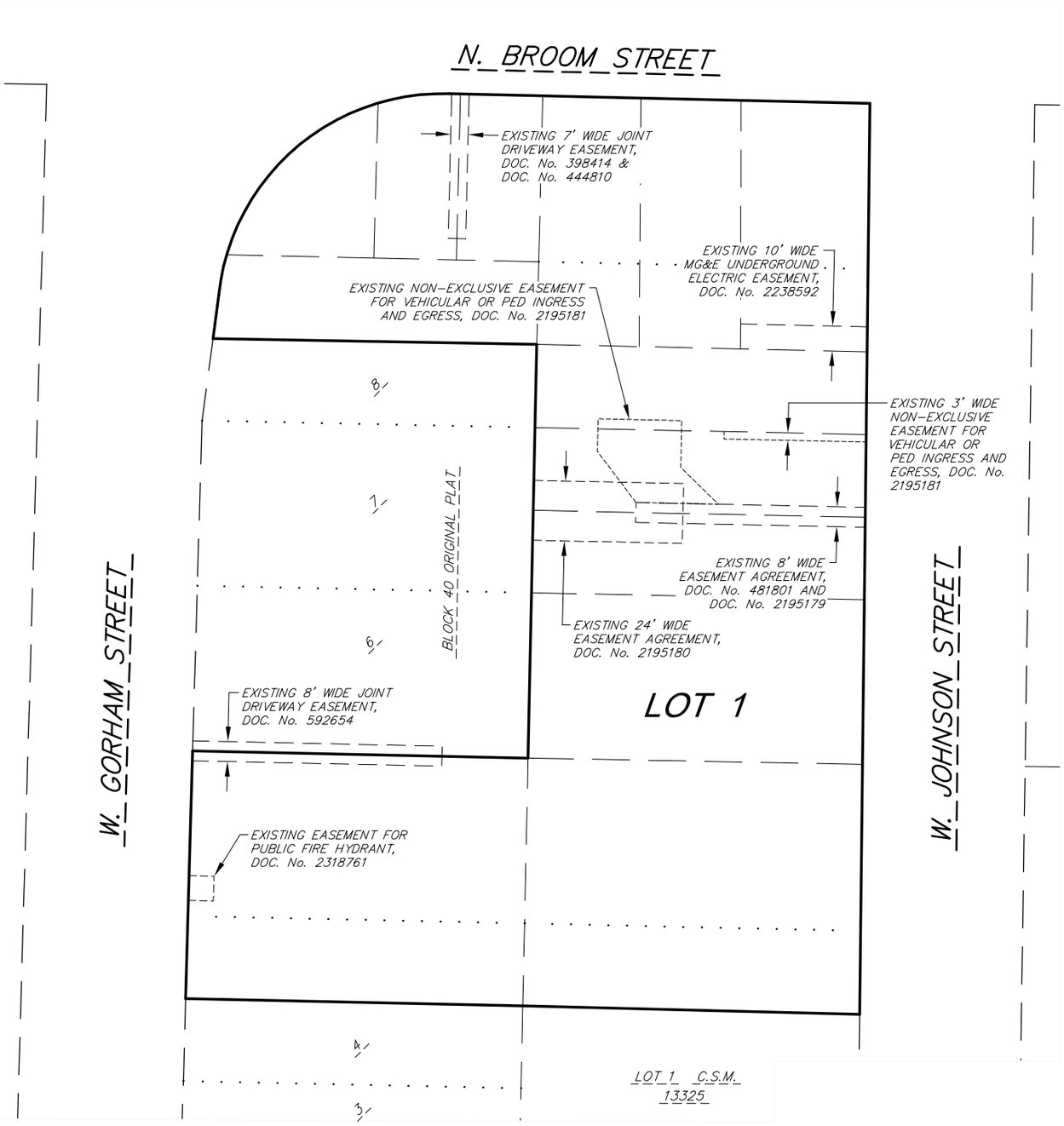
FN: 220322 DATE: 07/20/2023 REV: Drafted By: MZIE Checked By: JZAM	SURVEYED FOR: Core Spaces, LLC 1643 N. Milwaukee Ave. 5th Floor Chicago, IL 60647	C.S.M. No._____ Doc. No._____ Vol._____ Page_____	SHEET 2 OF 7

CERTIFIED SURVEY MAP No._____

PART OF LOTS 4, 8, 9 AND 15, BLOCK 40 AND ALL OF LOTS 5, 10, 11, 12, 13 AND 14, BLOCK 40, ORIGINAL PLAT OF MADISON AS RECORDED IN VOLUME A OF PLATS, ON PAGE 3, AS DOCUMENT NUMBER 102 AND LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 23, TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN

0 60 120

SCALE: ONE INCH = SIXTY FEET



GENERAL NOTES:

1. This Certified Survey Map is subject to the following:
   - Airspace Easement and Indemnification Agreement, Doc. No. 4154069.
   - Agreement Respecting Airspace and Construction Easements, Doc. No. 5061110.

N E S W

EXISTING EASEMENTS

20 Jul 2023 - 8:25p M:\Core Spaces\220322 - McCormick Apartments\CADD\220322 - CSM.dwg by: mzie

vierbicher
planners | engineers | advisors
Phone: (800) 261-3898

FN: 220322
DATE: 07/20/2023
REV:
Drafted By: MZIE
Checked By: JZAM

SURVEYED FOR:
Core Spaces, LLC
1643 N. Milwaukee Ave.
5th Floor
Chicago, IL 60647

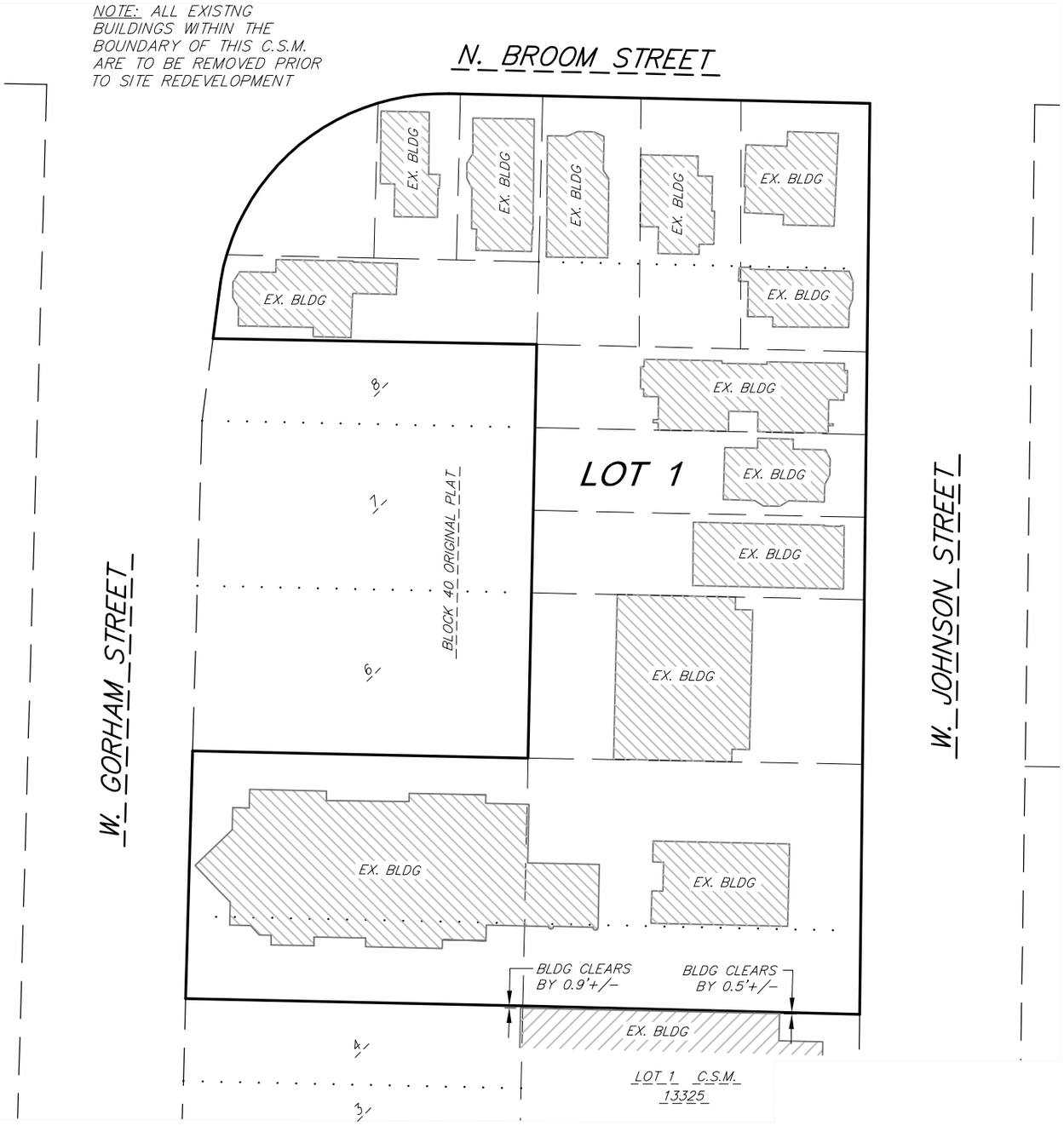
C.S.M. No._____
Doc. No._____
Vol._____ Page_____

CERTIFIED SURVEY MAP No._____

PART OF LOTS 4, 8, 9 AND 15, BLOCK 40 AND ALL OF LOTS 5, 10, 11, 12, 13 AND 14, BLOCK 40, ORIGINAL PLAT OF MADISON AS RECORDED IN VOLUME A OF PLATS, ON PAGE 3, AS DOCUMENT NUMBER 102 AND LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 23, TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN

0 60 120

SCALE: ONE INCH = SIXTY FEET



EXISTING SITE DETAILS

vierbicher
planners | engineers | advisors
Phone: (800) 261-3898

FN: 220322 DATE: 07/20/2023 REV: Drafted By: MZIE Checked By: JZAM	SURVEYED FOR: Core Spaces, LLC 1643 N. Milwaukee Ave. 5th Floor Chicago, IL 60647	C.S.M. No._____ Doc. No._____ Vol._____ Page_____

SHEET 4 OF 7

20 Jul 2023 - 8:24p M:\Core Spaces\220322 - McCormick Apartments\CADD\220322 - CSM.dwg by: mzie

CERTIFIED SURVEY MAP No._____

PART OF LOTS 4, 8, 9 AND 15, BLOCK 40 AND ALL OF LOTS 5, 10, 11, 12, 13 AND 14, BLOCK 40, ORIGINAL PLAT OF MADISON AS RECORDED IN VOLUME A OF PLATS, ON PAGE 3, AS DOCUMENT NUMBER 102 AND LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 23, TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN

LEGAL DESCRIPTION

Part of Lots 4, 8, 9 and 15, Block 40 and all of Lots 5, 10, 11, 12, 13 and 14, Block 40, Original Plat of Madison as recorded in Volume A of Plats, on Page 3, as Document Number 102 and located in the Northwest Quarter of the Northeast Quarter of Section 23, Township 07 North, Range 09 East, City of Madison, Dane County, Wisconsin, more fully described as follows:

Commencing at the North quarter corner of said Section 23; thence S88°46'41"E, along the north line of the Northeast Quarter of said Section 23, a distance of 352.04 feet; thence S01°13'19"W, 359.41 feet to southeasterly right-of-way line of West Gorham Street and the point of beginning of this description; thence N52°35'38"E, along said southeasterly right-of-way line, 17.55 feet to a point of curvature; thence 135.03 feet along said right-of-way line and the arc of a curve to the right having a radius of 90.00 feet and a chord bearing S86°09'26"E, 122.71 feet; thence S43°41'10"E, along the southwesterly right-of-way line of North Broom Street, 168.71 feet to the intersection with the northwesterly right-of-way line of West Johnson Street; thence S45°38'32"W, along said northwesterly right-of-way line, 365.14 feet; thence N43°35'15"W, 135.09 feet; thence N43°46'43"W, 135.19 feet to the aforementioned southeasterly right-of-way line of West Gorham Street; thence N46°37'05"E, along said southeasterly right-of-way line, 99.42 feet; thence S43°45'55"E, 134.54 feet; thence N46°13'00"E, 165.90 feet; thence N43°59'58"W, 129.89 feet to said southeasterly right-of-way line of West Gorham Street and the point of beginning.

Said description contains 73,127 square feet or 1.679 acres, more or less.

20 Jul 2023 - 8:23p M:\Core Spaces\220322 - McCormick Apartments\CADD\220322 - CSM.dwg by: mzie

vierbicher
planners | engineers | advisors
Phone: (800) 261-3898

FN: 220322
DATE: 07/20/2023
REV:
Drafted By: MZIE
Checked By: JZAM

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5th Floor
Chicago, IL 60647

C.S.M. No._____
Doc. No._____
Vol._____ Page_____

CERTIFIED SURVEY MAP No._____

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OWNER'S CERTIFICATE

_____, as owner(s), we hereby certify that we caused the land described on this Certified Survey Map to be surveyed, divided and mapped as represented on the map hereon. We further certify that this Certified Survey map is required by S236.34 to be submitted to the City of Madison for approval. Witness the hand and seal of said owner this _____ day of _____, 2023.

_____

By: _____

State of Wisconsin)
)ss.
County of Dane)

Personally came before me this _____ day of _____, 2023, the above named _____, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

_____ My Commission expires: _____
Notary Public, State of Wisconsin

CONSENT OF MORTGAGEE

_____, a banking association duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing and mapping of the land described on this Certified Survey Map and does hereby consent to the Owner's Certificate.

IN WITNESS WHEREOF, the said _____, has caused these presents to be signed by _____ its _____, at _____, Wisconsin, on this _____ day of _____, 2023.

_____

By: _____

State of Wisconsin)
)ss.
County of Dane)

Personally came before me this _____ day of _____, 2023, _____, of the above named banking association, to me known to be the persons who executed the foregoing instrument, and to me known to be such _____ of said banking association, and acknowledged that they executed the foregoing instrument as such officer as the deed of said banking association, by its authority.

_____
Notary Public, State of Wisconsin

My Commission expires: _____

20 Jul 2023 - 8:22p M:\Core Spaces\220322 - McCormick Apartments\CADD\220322 - CSM.dwg by: mzie

vierbicher
planners | engineers | advisors
Phone: (800) 261-3898

FN: 220322
DATE: 07/20/2023
REV:
Drafted By: MZIE
Checked By: JZAM

SURVEYED FOR:
Core Spaces, LLC
1643 N. Milwaukee Ave.
5th Floor
Chicago, IL 60647

C.S.M. No._____
Doc. No._____
Vol._____ Page_____

CERTIFIED SURVEY MAP No._____

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CITY OF MADISON COMMON COUNCIL RESOLUTION

Resolved that the certified survey map located in the City of Madison was hereby approved by Enactment Number _____, File ID Number _____, adopted on the _____ day of _____, 20_____, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said certified survey map to the City of Madison for public use.

Dated this _____ day of _____, 20_____.

_____
Maribeth Witzel–Behl, City Clerk, City of Madison

CITY OF MADISON PLAN COMMISSION CERTIFICATE

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

By: _____ *Date:* _____
Matthew Wachter,
Secretary of the Plan Commission

SURVEYOR'S CERTIFICATE

I, Michael J. Ziehr, Professional Land Surveyor, S–2401, do hereby certify to the best of my knowledge and belief, that I have surveyed, divided and mapped the lands described herein and that the map on sheet one (1) is a correct representation of the exterior boundaries of the land surveyed and the division of that land in accordance with the information provided. I further certify that this Certified Survey Map is in full compliance with Section 236.34 of the Wisconsin State Statutes, Chapter A–E7 of the Wisconsin Administrative Code and the Subdivision Ordinance of the City of Madison in surveying, dividing and mapping the same.

Vierbicher Associates, Inc.
By: Michael J. Ziehr

Date: _____

Signed: "DRAFT"
Michael J. Ziehr, P.L.S. S–2401

REGISTER OF DEEDS CERTIFICATE

Received for recording this _____ day of _____, 2023, at o'clock _____.m. and recorded in Volume _____ of Certified Survey Maps on pages _____, as Doc. No. _____.

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Kristi Chlebowski,
Dane County Register of Deeds

20 Jul 2023 - 8:21p M:\Core Spaces\220322 - McCormick Apartments\CADD\220322 - CSM.dwg by: mzie

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planners | engineers | advisors
Phone: (800) 261-3898

FN: 220322 DATE: 07/20/2023 REV: Drafted By: MZIE Checked By: JZAM	SURVEYED FOR: Core Spaces, LLC 1643 N. Milwaukee Ave. 5th Floor Chicago, IL 60647	C.S.M. No._____ Doc. No._____ Vol._____ Page_____	SHEET 7 OF 7

PLANNING DIVISION STAFF REPORT

November 13, 2023

PREPARED FOR THE PLAN COMMISSION

Project Address: **405-407 & 431 W Gorham Street, 408-430 W Johnson Street, and 304-318 N Broom Street** (District 3 – Alder Verveer)

Application Type: Demolition Permit, Land Use Restriction Agreement, Zoning Text Amendment, Zoning Map Amendment, Conditional Use, and Certified Survey Map Referral

Legistar File ID # 79966, 80423, 80308, 80329, 79967, and 79992

Prepared By: Chris Wells, Planning Division
Report includes comments from other City agencies, as noted.

Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Doug Tichenor; Core Madison Broom, LLC; 1643 North Milwaukee Street; Chicago, IL 60647

Contact: Brian Munson; Vandewalle & Associates; 120 East Lakeside Street; Madison, WI 53715

Property Owners: 431 W Gorham Street and 430 W Johnson Street -- Johnson Associates, LLP; 826 North Star Drive; Madison, WI 53718

407 W Gorham Street and 308-318 N Broom Street -- Madfish on Broom, LLC; 1202 Regent Street; Madison, WI 53715

304 N Broom Street and 408-414 W Johnson Street -- JDM Properties, LLC; 101 N Mills Street; Madison, WI 53715

416 and 422 W Johnson Street -- Mullins Apartments, LLP; 401 N Carroll Street, Madison, WI 53703

405 W Gorham Street -- City of Madison Engineering Division; 210 Martin Luther King, Jr. Boulevard, Room 115; Madison, WI 53703

Requested Actions: There are six requests before the Plan Commission:

- 79966 - 407 and 431 W Gorham Street, 408-430 W Johnson Street, and 304-318 N Broom Street; District 4: Consideration of a demolition permit to demolition of 13 residential buildings for a proposed residential redevelopment.
- 80423 - Authorizing the inclusion of a Land Use Restriction Agreement as an exhibit to the Purchase and Sale Agreement between Core Spaces, LLC ("Purchaser") and the City of Madison for the Purchaser's acquisition of the property located at 405 W. Gorham Street (District 4)
- 80308 - Amending the map in Section 28.071(2)(a) related to downtown height limits of the Madison General Ordinances to update the Downtown Height Map in the North Broom Street area. (District 4)
- 80329 - Creating Section 28.022-00646 of the Madison General Ordinances to change the zoning of property located at 405-407 & 311 West Gorham Street, 408-430 West Johnson Street, 304-318 North Broom Street, 4th Alder District, from PD (Planned Development), CN (Conservancy), and UMX (Urban Mixed-Use) District to UMX (Urban Mixed-Use) District. (District 4)

- 79967 - 405-407 and 431 W Gorham Street, 408-430 W Johnson Street, and 304-318 N Broom Street (District 4): Consideration of a conditional use in the [Proposed] Urban Mixed-Use (UMX) District for a multi-family dwelling with greater than eight (8) dwelling units; consideration of a conditional use in the UMX District for a new building greater than 20,000 square feet and more than four stories; and consideration of a conditional use in the UMX District for outdoor recreation, all to allow construction of an eight- to fifteen-story apartment building with approximately 465 units.
- 79992 - Approving a Certified Survey Map of property owned by Core Spaces, LLC located at 405-407 and 431 W Gorham Street, 408-430 W Johnson Street, and 304-318 N Broom Street; District 4.

Proposal Summary: The applicant is requesting the approvals to allow construction of an 8- to 15-story apartment building with approximately 465 units of housing intended for students. The applicant proposes to commence demolition of the 13 existing structures and begin construction of the development in Summer 2024, with completion anticipated in Fall 2026.

Applicable Regulations & Standards: This proposal is subject to the standards for zoning map amendments [MGO Section 28.182(6)] and Demolitions [MGO Section 28.185(7)]. It is also subject to the standards for Conditional Uses [MGO §28.183(6)] as Table 28E-2 in MGO Section 28.072 states that in the [Proposed] Urban Mixed-Use (UMX) District, a conditional use is required for a multi-family dwelling with greater than eight (8) dwelling units; and for outdoor recreation. Additionally, MGO Section 28.076(4)(c) states, "*All new buildings and additions greater than twenty thousand (20,000) square feet or that have more than four (4) stories shall obtain conditional use approval. In addition, the Urban Design Commission shall review such projects for conformity to the design standards in Sec. 28.071(3), if applicable, and the Downtown Urban Design Guidelines and shall report its findings to the Plan Commission.*" Lastly, MGO Section 16.23(5)(g) provides the process and standards of approval for certified survey maps. The Supplemental Regulations [MGO §28.151] contain further applicable regulations for *Outdoor Recreation*.

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

Summary Recommendation:

- That the Plan Commission find that the standards for demolition permits are met and **approve** the demolition of the 13 residential buildings;
- That the Plan Commission forward the inclusion of a Land Use Restriction Agreement (as an exhibit to the Purchase and Sale Agreement between Core Spaces, LLC ("Purchaser") and the City of Madison for the Purchaser's acquisition of the property located at 405 W. Gorham Street) to the Common Council with a recommendation of **approval**.
- That the Plan Commission forward the amendment of the map in Section 28.071(2)(a) related to downtown height limits of the Madison General Ordinances to update the Downtown Height Map in the North Broom Street area to the Common Council with a recommendation of **approval**.
- That the Plan Commission find that the Zoning Map Amendment Standards are met and forward Zoning Map Amendment ID 28.022-00646, rezoning 405-407 & 311 West Gorham Street, 408-430 West Johnson Street, 304-318 North Broom Street, 4th Alder District, from PD (Planned Development), CN (Conservancy), and UMX (Urban Mixed-Use) District to UMX (Urban Mixed-Use) District to the Common Council with a recommendation of **approval**.

- That the Plan Commission find that the standards for conditional uses are met and **approve** a request for a multi-family dwelling with greater than eight (8) dwelling units in the [Proposed] Urban Mixed-Use (UMX) District; for a new building greater than 20,000 square feet and more than four stories in the UMX District; and for outdoor recreation in the UMX District - all to allow construction of an 8- to 15-story apartment building with approximately 465 units.
- Finally, should the other aspects of the proposal be approved, the Planning Division believes the technical standards for land divisions can be found met and recommends the Plan Commission should forward the Certified Survey Map to the Common Council with a recommendation of **approval**.

Approval of the project should be subject to input at the public hearing, and the recommended conditions beginning on **page 15** of this report for the land use requests, and on **page 25** for the CSM.

Background Information

Parcel Location: The development site is 73,127 square-feet (1.68 acres) in area and is located at the east end of the block bound by W Johnson Street, N Broom Street, W Gorham Street and N Bassett Street. The site has frontage along W Johnson and N Broom Streets, and again on W Gorham Street (see Image 1 in the Project Description section.) It is located within Alder District 4 (Ald. Verveer) and the Madison Metropolitan School District.

Existing Conditions and Land Use:

- According to City records, La Ville, the 10-story, 60-unit apartment building at 431 W Gorham Street, was originally constructed in 1990. It is zoned PD (Planned Development District);
- The 2-story, 2-unit at 407 W Gorham Street was originally constructed in 1894. It is zoned UMX (Urban Mixed-Use District);
- The parcel at 405 W Gorham St is vacant. It is zoned CN (Conservancy District);
- The 2-story, 2-unit at 318 N Broom Street was originally constructed in 1875. It is zoned UMX;
- The 2½-story, 4-unit at 314 N Broom Street was originally constructed in 1904. It is zoned UMX;
- The 2½-story, 3-unit at 312 N Broom Street was originally constructed in 1898. It is zoned UMX;
- The 2-story single-family residence at 308 N Broom Street was originally constructed in 1885. It is zoned UMX;
- The 2-story, 2-unit at 304 N Broom Street was originally constructed in 1870. It is zoned UMX;
- The 2-story, 2-unit at 408 W Johnson Street was originally constructed in 1899. It is zoned UMX;
- The 3-story, 9-unit apartment building at 412 W Johnson Street was originally constructed in 1990. It is zoned PD;
- The 2½-story, 3-unit at 414 W Johnson Street was originally constructed in 1899. It is zoned PD;
- The 3-story, 3-unit at 416 W Johnson Street was originally constructed in 1914. It is zoned UMX;
- The 4-story, 28-unit apartment building at 422 W Johnson Street was originally constructed in 1973. It is zoned UMX;
- The 8-story, 42-unit apartment building at 430 W Johnson Street was originally constructed in 1969.

Surrounding Land Uses and Zoning:

Northwest: The Equinox, a 12-story, 115-unit apartment building. Across W Johnson Street are two-story and three-story buildings with ground floor commercial and The James, a 12-story mixed-use building with ground floor commercial and 348 units, all zoned UMX (Urban Mixed-Use District), and 420 West, a six-story, 80-unit apartment building, zoned PD (Planned Development District);

Northeast: Across N Broom Street is a 2-story office building (the former city fire station) occupying the southern corner of the block and zoned UMX (Urban Mixed-Use District), and The Oliv – a 10-story, mixed-use building containing 386 units of student housing, retail, and business incubator space. It is zoned PD;

Southeast: Across W Johnson Street is the 12-story, 160-unit Lux apartment building and the 12-story, 326-unit Domain apartment building. Both are zoned UMX;

Southwest: An 11-story, 194-room Hampton Inn & Suites (which contains a restaurant on the ground floor) and the Aberdeen, a 12-story, 77-unit apartment building. Both are zoned PD.

Adopted Land Use Plan: Information regarding plan recommendations and consistency is located in the body of this report.

Zoning Summary: The site is proposed to be zoned to the UMX (Urban Mixed-Use) District

Requirements	Required	Proposed
Lot Area (sq. ft.)	3,000	73,127
Lot Width	30 ft	230 ft
Front Yard Setback	5 ft	5 ft
Max. Front Yard Setback	10 ft	5 ft
Side Yard Setback	5 ft	10 ft, 5 ft
Rear Yard Setback	10 ft	10 ft
Usable Open Space	10 sq ft/bedroom = 16,240	27,726 sq ft
Maximum Lot Coverage	90%	88%
Minimum Building Height	2 stories	8-14 stories
Maximum Building Height	8-14 stories	8-14 stories

Site Design	Required	Proposed
Number Parking Stalls	No minimum	124
Electric Vehicle Stalls	EV Ready: 12 EV Installed: 2	EV Ready: 124 (*See Comment #53*) EV Installed: 3
Accessible Stalls	5	5
Loading	No	No
Number Bike Parking Stalls	1 per d.u up to 2 br (465) + ½ space per add'l br (236) + 1 guest space/10 d.u. (47) + 1 per 2,000 sq ft retail (2) = 750	761 (*See Comment #54*)
Landscaping and Screening	Yes	Yes (*See Comment #55*)
Lighting	Yes	Yes
Building Form and Design	Yes	Commercial Block Building

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

Tables Prepared by Jacob Moskowitz, Assistant Zoning Administrator

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

Public Utilities and Services: The site is served by a full range of urban services, including Metro Transit service which operates daily all-day (eastbound) transit service along the priority W Johnson Street corridor, adjacent this property. Additional (southbound) trips operate along Bassett Street, opposite this property. Trips in the opposing one-way direction (westbound) operate along Broom Street and/or the priority W Gorham Street corridor.

Project Description

The applicant is requesting multiple approvals to allow construction of an 8- to 15-story apartment building with approximately 465 units. These approvals include the following:

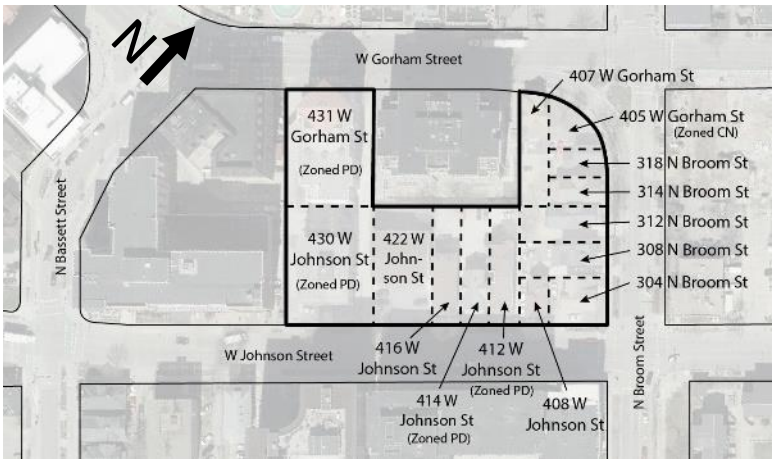

Image 1: The parcels proposed to be combined via Certified Survey Map (CSM) to form the subject parcel. Note: All parcels involved are zoned UMX (Urban Mixed-Use District) until noted otherwise.

- Demolition permits to raze thirteen residential buildings;
- A voluntary Land Use Restriction Agreement (LURA) to provide affordable units;
- A Zoning Text Amendment to make minor adjustments to the Downtown Height Map in the North Broom Street area;
- Three (3) Conditional Uses (for the number of units, for the size and height, and for outdoor recreation);
- A Zoning Map Amendment to rezone five of the parcels from the PD (Planned Development) and CN (Conservancy) Districts to UMX (Urban Mixed-Use) District to provide UMX zoning across the entire project site; and
- A one-lot certified survey map to combine the various lots into one development site.

The 1.68-acre subject site is located at the east end of the block bound by W Johnson Street, N Broom Street, W Dayton Street and N Bassett Street. (See Image 1.) There is roughly 12 feet of grade drop north to south across the site.

Information on the buildings proposed for demolition is summarized on page 3 of this report and photos of the interior and exterior of each of the thirteen buildings has been included in the applicant's materials.

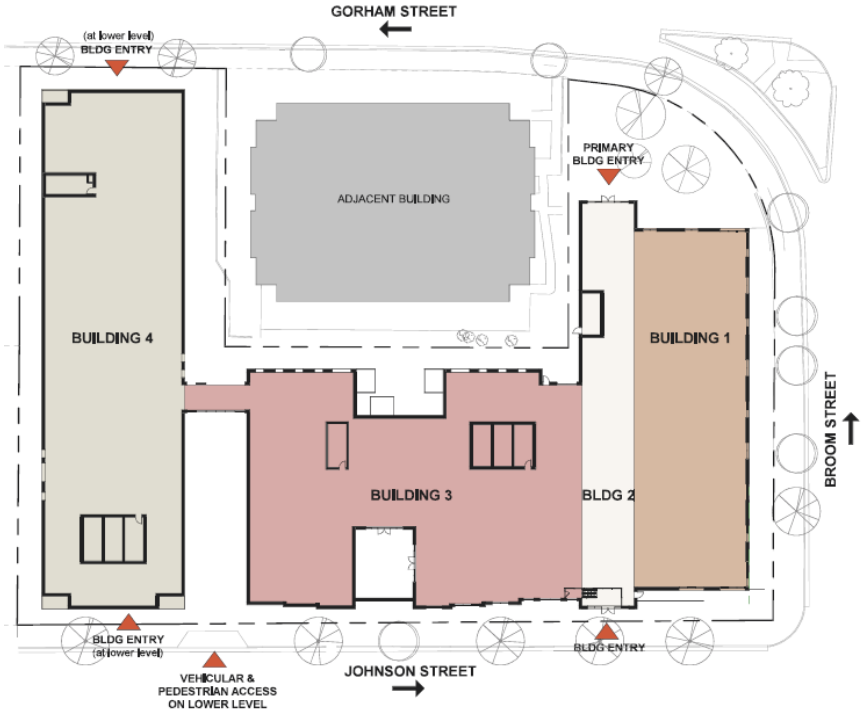

Image 2: The development's four building 'expressions' (masses)

As noted in the submitted materials, the proposed development is broken into four building 'expressions' (masses). (See Image 2). 'Building 1' is eight stories in height and is clad with a charcoal-colored brick on the ground floor. The façade of the upper floors is broken up into thirds, with sections clad with a medium brown brick bookending a center section which is clad with a charcoal-colored metal paneling.

'Building 2' is a slender 14-story mass clad with white metal paneling. It has an occupiable rooftop/amenity deck.

'Building 3' is a large 14-story mass. The exterior cladding accompanies the modulation of the façade along W Johnson Street with reddish brick cladding the portions of the façade located closest to the sidewalk and a charcoal-colored metal paneling cladding the recessed portions. It also has an occupiable rooftop/amenity deck.

'Building 4', offset from Buildings 1-3 (yet connected via a glass skyway at the second floor level), is 15 stories in height. It sits along the southwest property line, at the lowest point of the site, low enough to get an 'extra' floor. The first floor (the base) is clad with a charcoal-colored brick, floors 2-12 are clad with a whitish brick, and floors 13-14 are clad with a charcoal-colored metal paneling.

The Zoning Administrator has determined that the amenity deck (with pool and hot tub/spa) and enclosed amenity space located atop Buildings 2 and 3 constitute a 15th story.

Automobiles will enter off W Johnson Street near the southern end of the development. A circular turn around provides access to two levels of underbuilding parking. One, located on Lower Level 1 of Buildings 1-3, contains 53 automobile stalls and 318 bicycle stalls (and six stalls for deliveries and car-share pickup located just off the round-about). The other, located on Lower Level 2, beneath Building 3 and 4, contains 71 automobile stalls and 320 bicycle stalls. Additional rooms containing bicycle parking are located on the Lower Level 1 of Building 4.

As for the building's program, a roughly 4,000-square-foot retail space is located on Lower Level 1 (as labelled in the submitted materials), along Building 4's W Gorham Street frontage. A small lobby space is located at the south end of Building 4, along W Johnson Street, and provides access to elevators, stairs, and an indoor bicycle storage room. A lobby/leasing/amenity space covers nearly the entire eastern half of Level 1 - from the main entrance located at the northern corner of the development facing W Gorham Street, all along the N Broom Street façade, and halfway down the W Johnson Street façade. Residential units occupy the remainder of Level 1 and the entirety of the floors above. In total, there are a 465 units: 13 'micro' units, 35 'studio' units, 55 one-bedroom units, 168 two-bedroom units, 2 three-bedroom units, 101 four-bedroom units, 85 five-bedroom units, and 6 townhome units (3 four-bedroom units and 3 five-bedroom units). While there are a total of 1301 bedrooms, since a number of the units have two beds in a bedroom, there are 1,624 beds.

The applicant has voluntarily agreed to provide 10 percent of the beds (165 in all) at a rate that is 40-percent below the market rate. They are proposing to enter into a Land Use Restriction Agreement (LURA) with the City (Legistar File ID 80423) and a Memorandum of Understanding (MOU) with the University of Wisconsin's Office of Student Financial Aid. (The current version of the LURA can be found here.) The agreement would require that for a term of least 40 years, the applicant will provide 165 beds in two (2) bedroom dwelling units being leased to four (4) individuals at a rate at least 40-percent less than the market rate charged for a bed in a comparable bed in the building. These beds would be leased to qualified University of Wisconsin-Madison applicants as determined to be eligible by the University's Office of Financial Aid (UOFA). The terms of that agreement are voluntarily being agreed to by both the developer and City. Staff notes that as part of this review, the Plan Commission or Common Council do not have the ability to require affordable units or alter the terms of that agreement.

Since the proposed development would have a voluntary LURA to provide affordable beds, MGO Section 28.071(2)(a)2.a. states that it may exceed the maximum number of stories (i.e. 6 along N Broom Street and 12 for the rest of the site), "*provided the building remains at or below the maximum height in feet in Table 28E-3.*" (i.e. 88 feet for a six-story building and 172 feet for a 12-story building). To exceed the maximum number of stories, the code states that one requirement was if the development or redevelopment receives City of Madison funding to support affordable units. To this end, on September 19. 2023, the Council approved the sale of the 405 W. Gorham Street parcel between the City and Core Spaces, LLC for $1.00. As $1.00 is well below the appraised value, it is considered a form of financial contribution to support affordable units.

Regarding the impact to existing street trees, there are only two trees, both located along W Johnson Street, which proposed for removal (and Forestry is supportive of (see Condition #62)). The first is the 16" Elm (proposed to be removed for the proposed driveway apron) and the 19" Elm (proposed for removal due to construction conflicts).

Finally Staff note that Traffic Engineering is currently studying the possibility of removing the left-turn 'slip lane' northbound on N Broom Street onto W Johnson Street. Given the number of students that will reside in and visit the proposed development, safe pedestrian movement across N Broom and W Johnson Streets to and from the development is a concern. As Traffic Engineering noted in their submitted condition (#33), required improvements may include but are not limited to: signing and marking improvements, lighting improvements, constructing a raised crossing, reducing the width of the crossing and/or removal of the left turn lane from N. Broom Street to W. Gorham Street.

Analysis

This proposal is subject to the standards for zoning map amendments [MGO Section 28.182(6)] and Demolitions [MGO Section 28.185(7)]. It is also subject to the standards for Conditional Uses [MGO §28.183(6)] as Table 28E-2 in MGO Section 28.072 states that in the [Proposed] Urban Mixed-Use (UMX) District, a conditional use is required for a multi-family dwelling with greater than eight (8) dwelling units; as well as for outdoor recreation. Additionally, MGO Section 28.076(4)(c) states, "*All new buildings and additions greater than twenty thousand (20,000) square feet or that have more than four (4) stories shall obtain conditional use approval. In addition, the Urban Design Commission shall review such projects for conformity to the design standards in Sec. 28.071(3), if applicable, and the Downtown Urban Design Guidelines and shall report its findings to the Plan Commission.*" Lastly, MGO Section 16.23(5)(g) provides the process and standards of approval for certified survey maps. The Supplemental Regulations [MGO §28.151] contain further applicable regulations for *Outdoor Recreation*.

Conformance with Adopted Plans

The 2018 Comprehensive Plan recommends Downtown Mixed-Use (DMU) development for the subject site's entire block. The Plan notes that this includes "*intensive mixed-use development*" which is "*generally more* focused *on residential, retail, and service uses than Downtown Core (DC) areas, but may also include some government and employment uses."* The Plan also notes that, while subject to the Downtown Plan height map, some DMU areas "*are appropriate for mixed-use development that can rival development intensities within DC areas (e.g., Ovation 309, The James, and The Hub developments*)." (Page 24) For details on heights, mix of uses, ground floor uses, pedestrian friendly design, and other considerations which the Plan notes "must be addressed for development within this category", the Plan defers to the Downtown Plan.

The 2012 Downtown Plan notes that the appropriate height for new buildings is influenced by numerous factors such as topography, important view corridors and viewsheds, the presence of historic buildings, the use and scale recommendations for an area, and the existing scale of buildings in the vicinity. For the subject site, it recommends a maximum of 12 stories for the western half and six stories for the eastern. (See Image 3).

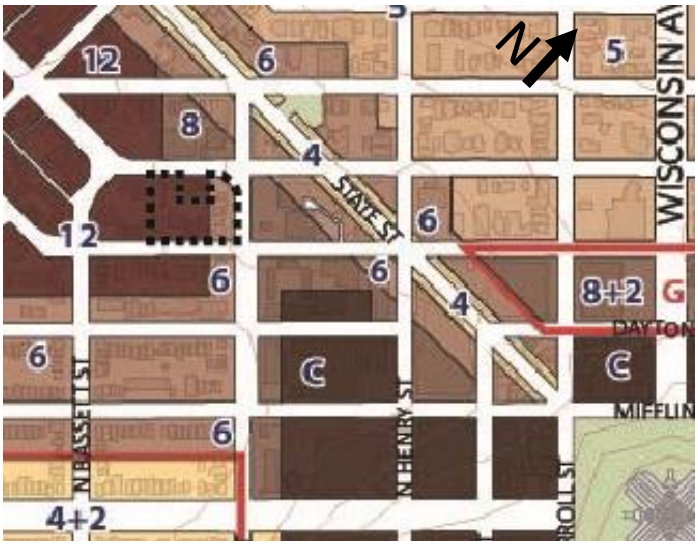

Image 3: Maximum Building Heights as Recommended by the Downtown Plan.

It also does identify the subject site within the "Johnson Street Bend" neighborhood/district for which it recommends, "*should continue as a primarily higher density student residential area mixed with some new neighborhood-serving retail uses. Underutilized parcels should transition to more intense development with a particular emphasis on creating active and engaging street frontages and quasi-public areas. Linkages to adjacent areas, including parks and open spaces, should be enhanced.*"

Relatedly, a zoning text amendment (Legistar File ID 80308) is working its way through the City's committees and commissions which would amend the Downtown Height Map in MGO Section 28.071(2)(a) related to in the North Broom Street area. (See Image 4 on the following page) It would straighten the dividing line along N Broom Street between allowable six (6) stories and twelve (12) stories on the downtown height map. The previously mapped building height lines jogged to follow lot lines that existed when the map was created. The proposed development will combine the adjacent lots making the jogged line unnecessary. This would bring the Zoning Code's building height map in line with the height recommendations of the Downtown Plan.

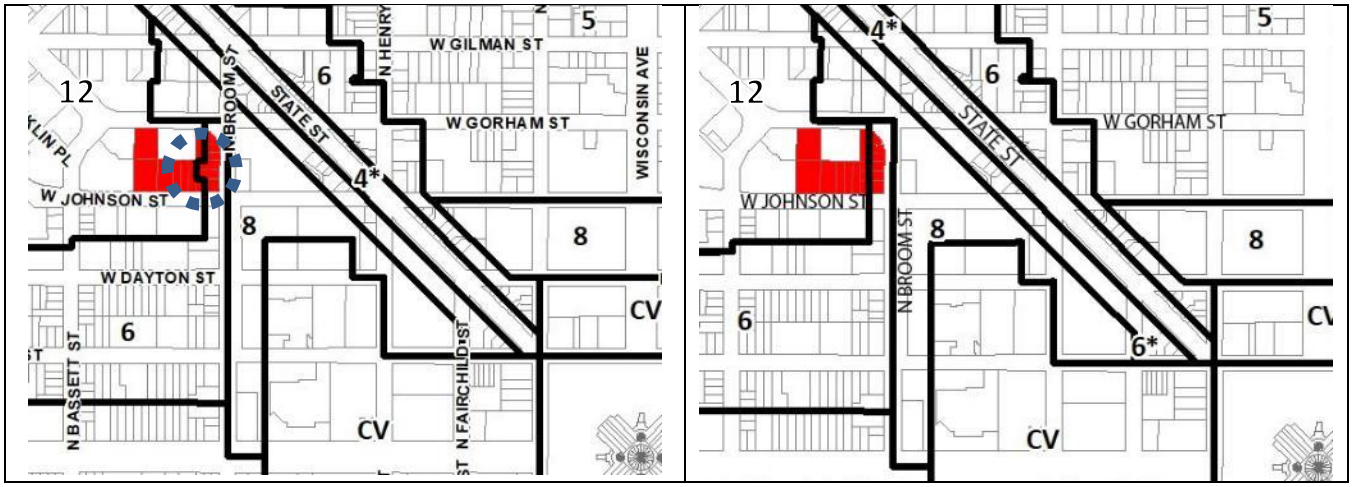

Image 4: Downtown Height Map in MGO Section 28.071(2)(a). Left: the current version (with the area proposed to be changes indicated with a dashed circle). Right: the proposed version with the change made.

As explained in the previous section, the proposed development exceeds the maximum number of stories allowed by the Zoning Code due to the fact that the City of Madison has granted funding in the form of a below-market value land sale to support the affordable units. That said, Staff believe the 8/15 stories to be consistent with MGO Section 28.071(2)(a)2.a. as the proposed building remains at or below the maximum height in feet in Table 28E-3. (i.e. 88 feet for a six-story building and 172 feet for a 12-story building). With the proposal, the eight-story mass is roughly 85 feet in height and the 15-story masses, even with the rooftop mechanical projections, is roughly 160 feet tall. (Staff note that the buildings, at its tallest, lies just below the Capital Height Projection Limit.)

Demolition Permit Standards

At its October 5, 2021 meeting, the Common Council adopted Ordinance 21-00065 (ID 67074) to revise the standards and process for demolition and removal permits in Section 28.185 of the Zoning Code to remove consideration of proposed future use as a factor in approving demolition requests. The Plan Commission shall consider the seven approval standards in §28.185(9)(c) M.G.O. when making a determination regarding demolition requests and find them met in order to approve. The factors include a finding that the proposed demolition or removal is consistent with the statement of purpose of the demolition permits section and with the health, prosperity, safety, and welfare of the City of Madison. The statement of purpose in Section 28.185 states, in part:

> *"The purpose of this section is therefore to ensure the preservation of historic buildings, encourage applicants to strongly consider relocating rather than demolishing existing buildings, aid in the implementation of adopted City plans, maximize the reuse or recycling of materials resulting from a demolition, protect the public from potentially unsafe structures and public nuisances…"*

Information on the buildings proposed for demolition is summarized on page 3 of this report and photos of the interior and exterior of each of the thirteen buildings has been included in the applicant's materials.

On balance, staff believes that standards can be found met and provides the following additional information.

In regards to Standard 1 related to the possible building relocation efforts, the Plan Commission is required to consider any information provided related to possible relocation activities. In submitted materials, the applicant states, "*The existing smaller scale buildings (SF, 2 unit, and 4 unit buildings) are not eligible for relocation due to the age of structures, impact on existing street trees and financial ramifications caused by the distance to any eligible relocation sites. The larger scale apartment buildings cannot be relocated due to the size of the structures.*"

In regards to Standard 6, Planning Division staff have not received any comments from City Building Inspection, Fire, or Police and have no further condition information other than the interior and exterior photos and a statement by the applicant that the structures are being proposed for demolition due to "*functional obsolescence, and inability for reuse/retention due to lot configuration impacts on the overall project site limiting the potential to incorporate City planning goals for the site*" (e.g. it would prevent the construction of a 6- to 12-story building as recommended by the Comprehensive Plan.) From the submitted information, staff is not aware of significant structural issues. While the code notes condition must be considered, it does not specify that a certain structural condition or level of disrepair is necessary in order to approve a demolition.

Related to the historic value of the structures, staff notes Standard 4 states:

> "*The Plan Commission has received and considered the report of the City's historic preservation planner regarding the historic value of the property as well as any report that may be submitted by the Landmarks Commission.*"

The Landmarks Commission reviewed the demolition of the thirteen buildings at its May 15, 2023 meeting and recommended to the Plan Commission that the buildings at 408 W Johnson Street, 412 W Johnson Street, 414 W Johnson Street, 416 W Johnson Street, 422 W Johnson Street, 430 W Johnson Street, 407 W Gorham Street, and 431 W Gorham Street "*have no known historic value.*"

Regarding the buildings at 304 N Broom Street, 308 N Broom Street, 312 N Broom Street, 314 N Broom Street, and 318 N Broom Street, the Landmarks Commission found that the buildings "*have historic value related to the vernacular context of Madison's built environment, but the buildings themselves are not historically, architecturally, or culturally significant.*" (Materials related to that review from the May 15, 2029 meeting can be found here: the Staff Report to the Landmarks Commission and the Meeting Report.)

Of note, in the Staff Report to the Landmarks Commission referenced above, for the building at 304 N Broom Street, Staff note: "*The preservation file names this Italianate structure the Frank Zehnpfenning house, a German immigrant shoemaker who lived in the house until 1881, after which, it was occupied for generations by the Cnare family. The Wisconsin Historical Society site file contains similar information*." For the building at 312 N Broom Street, Staff note: "*The preservation file for this property has limited information and names it the James Engelberger House, a vernacular Queen Anne structure. There is no site file with the Wisconsin Historical Society.*"

For the building at 318 N Broom Street, Staff note: "*The preservation file notes this building was constructed by James Livesey for Nicholaus Behrand, a German immigrant who initially operated a blacksmith shop on State and Gorham, and later became the bailiff for the U.S. Circuit Court. The Behrand family lived in this Italianate brick building until at least 1950 (except for a 12-year interval when they lived next-door). A 1950 article in the presentation files provides history on the importance of the family to the development of Madison. The Wisconsin Historical Society site file contains similar information.*"

For the structures at 308 and 314 N Broom Street, neither City preservation files nor site files with the Wisconsin Historical Society for these properties.

Standard 7, which includes references the standards 1-6 states that *"The Plan Commission shall consider the factors and information specified in items 1-6 and find that the proposed demolition or removal is consistent with the statement of purpose of this section and with the health, prosperity, safety, and welfare of the City of Madison."*

The Plan Commission should give careful consideration to the findings of the Landmarks Condition, including that the five buildings have value have historic value related to the vernacular context of Madison's built environment. Considering, however, that the buildings themselves were not found to be of historical, cultural, or architectural significance, on-balance, the Staff believes that the demolition permit standards can be found met.

Zoning Map Amendment Standards

Limited Zoning Map Amendments are proposed in order to provide consistent UMX (Urban Mixed-Use District) zoning across the proposed project site. The standards for Zoning Map Amendments state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City's Comprehensive Plan. 2010 Wisconsin Act 372 clarified "*consistent with" as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan*."

Staff believe the proposed rezonings are consistent with adopted plans and that the Zoning Map Amendment standards can be found met.

Conditional Use Standards

The Plan Commission may 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]."

Staff provide the following discussion:

Standard 2 states:

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

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

Standard 3 states:

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

The applicant has submitted a Management Plan which can be reviewed in the Legistar File for the conditional use and is linked here.

Standard 6 states:

> *"Measures, which may include transportation demand management (TDM) and participation in a transportation management association have been or will be taken to provide adequate ingress and egress, including all off-site improvements, so designed as to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets."*

The applicant will need to complete and submit a Transportation Demand Management Plan to be reviewed and approved by Parking prior to final sign off and issuance of permits.

Standard 9 states, in part:

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

Staff have a few concerns related to the building's design. The first, which was raised at the Urban Design Commission meeting on November 1, is the lack of ground-floor entrances along the entire 185-foot N Broom Street façade as well as roughly 230 feet of the W Johnson Street frontage. Staff note that the UDC at their aforementioned meeting on November 1, added a condition that an additional connection to the street be incorporated along the W Johnson Street frontage. Staff however still believe that an additional entrance is needed along the N Broom Street frontage noting that, if the Building 1 were a stand-alone building, that a primary entrance oriented to the primary abutting street would be required. (Staff acknowledge that an entrance facing W Gorham could meet this requirement if it were located at or wrapped the north corner).

The second concern is the significant blank wall expanse located on the upper floors of the southwest façade of Building 2 (see Sheet 36 "Elevation Promenade Bldg 3" in the submitted materials). The units on the first eight floors of that façade have multiple windows while the units on Floors 9-14 have none, despite the fact that the upper floors would actually afford a view and be less obscured by the adjacent 12-story Equinox building. When brought up to the applicant, they responded with the following, "*As presented to and approved by UDC, this area on the back side of building 2 is predominately bathrooms on the floors 9-14. This is in the narrow section of the building 2 and the design pushes the living room/kitchen/bedrooms to the Broom- and Gorham-facing facades to maximize views. This section of the building is also effectively screened from view by the Equinox as the building is pulled back from the street frontage and the two buildings are closest together along this property line.*" To this end, Staff note that the northwest façade of Building 2 is set approximately 50 feet further back from W Gorham Street than the same façade of the adjacent 12-story Equinox building meaning the views of the section of blank façade from the public right-of-way will be extremely limited.

Urban Design Commission Review

As the proposed building is located within the UMX (Urban Mixed-Use) District, the UDC is an **advisory** body on this request. Section 28.076(4)(c) states that: "All new buildings and additions greater than twenty thousand (20,000) square feet or that have more than four (4) stories shall obtain conditional use approval. In addition, the Urban Design Commission shall review such projects for conformity to the design standards in Section 28.071(3), if applicable, and the Downtown Urban Design Guidelines and shall report its findings to the Plan Commission."

At their meeting on November 1, 2023, the Urban Design Commission made an **ADVISORY RECOMMENDATION to the Plan Commission to grant Initial Approval with the project returning to the UDC for Final Approval**. (The Legistar File ID for the UDC's review of this project is 76205). A copy of the report of the UDC has been included at the end of this staff report). The motion, which passed with a unanimous vote, included the following condition:

- That a connection to the street be incorporated along the W Johnson Street frontage.

Supplemental Regulations

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

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

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

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

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

Regarding Regulation (c), the applicant's submitted management plan includes the hours of operation of the outdoor patios (9:00 am to 10:00 am on weekdays and 9:00 am to 11 pm on weekends) and a description of how the management team will help alleviate concerns:

> "*On-call team members will be available to visit the pool deck during these closing hours and escort customers off the rooftop. All access points to the pool deck will include a lock or fob reader to restrict customer access after pool hours. CCTV systems are also in place throughout the deck to ensure all activities are captured both during the day and evening should a trespass occur. To control resident and guest occupancy of the deck during popular periods random walks and checks are conducted by team members throughout the day and cameras can be viewed remotely to be sure these items are within normal operating standards. Each customer is only allowed one guest at a time on the deck and management has certain protections outlined in the rules and regulations section of the lease with wristbands or other guest and customer identifying measures to help control overcrowding and other noise concerns.*"

With the restrictions listed above, Staff believe the Supplemental Regulations can be found met.

Land Division

The applicant has submitted a certified survey map to combine the 405-407 & 431 W Gorham Street, 408-430 W Johnson Street, and 304-318 N Broom Street parcels in order to create one parcel. M.G.O. Section 16.23(5)(g) provides the process for certified survey maps. Staff believe that all applicable standards for land divisions can be found met, subject to the comments recommended by reviewing agencies.

Public Input

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

Conclusion

The applicant is requesting approval of a demolition permit to raze thirteen residential buildings, a Land Use Restriction Agreement related to the acquisition of the property located at 405 W Gorham Street, a zoning text amendment to update the Downtown Height Map in the North Broom Street area, three conditional uses (for the number of units, for the size and height, and for outdoor recreation), and a zoning map amendment to rezone five of the parcels from the PD (Planned Development) and CN (Conservancy) Districts to the UMX (Urban Mixed-Use) District to match the rest – all to allow construction of an 8- to 15-story apartment building with approximately 465 units. This applicant is also requesting approval of a one-lot certified survey map to combine the various lots into one development site.

While Staff believe the demolition, zoning map amendment, and land division standards can be found met, Staff have concern regarding Conditional Use Standard 9. As summarized in the report, Staff are concerned with the lack of entrances along large stretches of the building frontage and a large blank façade expanse.

Recommendation

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

- That the Plan Commission find that the standards for demolition permits are met and **approve** the demolition of the 13 residential buildings;
- That the Plan Commission forward the inclusion of a Land Use Restriction Agreement (as an exhibit to the Purchase and Sale Agreement between Core Spaces, LLC ("Purchaser") and the City of Madison for the Purchaser's acquisition of the property located at 405 W. Gorham Street) to the Common Council with a recommendation of **approval**.
- That the Plan Commission forward the amendment of the map in Section 28.071(2)(a) related to downtown height limits of the Madison General Ordinances to update the Downtown Height Map in the North Broom Street area to the Common Council with a recommendation of **approval**.
- That the Plan Commission find that the Zoning Map Amendment Standards are met and forward Zoning Map Amendment ID 28.022-00646, rezoning 405-407 & 311 West Gorham Street, 408-430 West Johnson Street, 304-318 North Broom Street, 4th Alder District, from PD (Planned Development), CN (Conservancy), and UMX (Urban Mixed-Use) District to UMX (Urban Mixed-Use) District to the Common Council with a recommendation of **approval**.
- That the Plan Commission find that the standards for conditional uses are met and **approve** a request for a multi-family dwelling with greater than eight (8) dwelling units in the [Proposed] Urban Mixed-Use (UMX) District; for a new building greater than 20,000 square feet and more than four stories in the UMX District; and for outdoor recreation in the UMX District - all to allow construction of an 8- to 15-story apartment building with approximately 465 units.

- Finally, should the other aspects of the proposal be approved, the Planning Division believes the technical standards for land divisions can be found met and recommends the Plan Commission should forward the Certified Survey Map to the Common Council with a recommendation of **approval**.

Approval of the project should be subject to input at the public hearing, and the recommended conditions beginning **below** for the land use requests, and on **page 25** for the CSM.

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

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

1. That in order for the development to meet Conditional Use Standard 9 in Section 28.183(6) of the Zoning Code, the Plan Commission finds, based on the recommendations and comments of the Urban Design Commission on November 1, 2023, that the following modifications and additional information are necessary as specified under condition 2, below. Prior to final sign-off and the issuance of building permits, a complete plan set with the following modifications and supplemental information shall be presented to the Urban Design Commission for their final review. The Urban Design Commission shall confirm that the modifications satisfy the intent of their initial recommendation and meet the applicable approval standards of Section 28.183(6)(9) and 28.076. The Urban Design Commission final review shall be limited to these specified items and any modifications to the previously reviewed plans falling under Urban Design Commission's purview.

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

2. Before any permits, including demolition permits, are issued for this project, the plans shall receive final approval from the Urban Design Commission, addressing the following consideration:

   a) That a connection to the street be incorporated along the W Johnson Street frontage.

The following conditions have been submitted by reviewing agencies:

Land Use Request – Demolition Permit, Zoning Map Amendment and Conditional Uses

Engineering Division (Main Office) (Contact Timothy Troester, (608) 267-1995)

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

4. Applicant shall provide projected wastewater flow calculations for the proposed development. Offsite sanitary sewer improvements may be required by the developer through a developer agreement as a condition for plan approval. Applicant shall provide project wastewater flow calculation to Mark Moder at mmoder@cityofmadison.com.

5. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)

6. Construct sidewalk, terrace, curb and gutter and pavement along Broom/Johnson/Gorham to a plan as approved by City Engineer

7. 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)

8. Provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system. (POLICY)

9. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at http://www.cityofmadison.com/engineering/permits.cfm. (MGO CH 35.02(14))

10. 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.

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

12. 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.

13. 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)

14. Revise plan to show the location of all rain gutter down spout discharge locations. Downspouts shall be directed to drain to public Right of Way (ROW). (POLICY)

15. 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.

16. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at https://dnr.wi.gov/topic/stormwater/publications.html

    This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit. (POLICY)

    This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.

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

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

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

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

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

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

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

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

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

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

19. Grant a Public Sidewalk and Bike Path Easement(s) to the City on the face of this Certified Survey Map to be approved by Engineering and Traffic Engineering

20. Any portion(s) of a public easement that is intended to be released shall be released by separate document prepared by City Office of Real Estate Services. Contact Jule Smith of Engineering Mapping (jsmith4@cityofmadison.com, 608-264-9276) to coordinate the Real Estate project, and associated information and fees required. If any release is required prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the plat. A release for the existing Public Easement for a Fire Hydrant appears to be required for proposed improvements. Assuming approval from the other appropriate agencies, Fire, Engineering and Water Department. Provide the fee, exhibit and legal description for the release of the easement.

21. Work with City Real Estate on the purchase of 405 W Gorham Street - ORES 12863.

22. The floor plans submitted do not show the updated layouts per the revised letter of intent. The original LOI indicates 453 units. The revised LOI increased it to 465 units.

23. 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.

24. Owner/Developer/Contractor are responsible for any rights that may be present for providing both communication and electrical utilities across the proposed development's parcel onto the adjacent 409 Gorham street parcel. There is an existing Utility Vault that is proposed to be removed and replaced. The proposed vault appears to serve both the developments parcel and the adjacent parcel. Owner/Developer/Contractor shall coordinate any required work to maintain existing connections and any required or necessary agreements/easements/rights to move and reestablish new connections with the adjacent parcel.

25. Multiple on-site easements will conflict with the proposed building. these will need to be released and recorded prior to permits for construction.

    Underground electric easement Doc 2238592.

    7 Joint Driveway Doc 398414 & 444810

    Ingress Egress Doc 2195181

    3' Wide Ingress Egress Doc 2195181

    8' Wide Easement Doc 481801 and 2195179

    24' Wide Easement Doc 2195180.

26. Update all sheets to show the official full street names. W Gorham Street, N Broom Street & W Johnson Street.

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

28. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. Also, include a unit matrix for apartment building that shows the number of units per 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 stamped Addressing Plan shall be included in said Site Plan Verification application materials or a revised plan shall provided for additional review and approval by Engineering.

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

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

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

29. Parking deck is insufficiently labeled/dimensioned for a proper review. If the parking does not meet MGO 10.08 the applicant can expect to be required to make major alteration which may or may not impact structural elements of this site.

30. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along W. Gorham Street.

31. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along W. Johnson Street.

32. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along N. Broom Street.

33. Due to the increased intensity of pedestrian activity at N. Broom Street and W. Gorham Street resulting from the increased density of this development, City Traffic Engineering intends to study the feasibility of making alterations to the existing left turn lane from N. Broom Street onto W. Gorham Street. Pending the results of the study, the applicant shall work with Traffic Engineering and Engineering Divisions on improving the existing pedestrian crossing of W. Gorham Street adjacent their proposed project. Improvements may include but are not limited to: signing and marking improvements, lighting improvements, constructing a raised crossing, reducing the width of the crossing and/or removal of the left turn lane from N. Broom Street to W. Gorham Street.

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

35. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.

36. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.

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

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

39. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.

40. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). 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 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.

41. All parking ramps as the approach the public Right-of-Way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the Right-of-Way. If applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.

42. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds three stories prior to sign-off to be reviewed and approved by Andrew Oliver, (267-1979, aoliver@cityofmadison.com) Traffic Engineering Shop, 4151 Nakoosa Trail. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.

43. The driveway slope to the underground parking is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.

44. The applicant shall provide a clearly defined 5' 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.

45. "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.

46. 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.

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

48. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.

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

50. Note: This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, protected walkways will be constructed and maintained as soon as possible and little to no access to the Public Right-of-Way on W. Johnson Street, W. Gorham Street, and N. Broom Street will be granted for construction purposes. Provide a detailed construction plan to Traffic Engineering for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff.

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

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

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

52. The calculations and comments below are based on the unit count and bedroom mix described in the letter of intent (465 units). However, the submitted plans show 453 units. Clarify on final plans the unit mix and submit revised floor plans.

53. Label the EV ready stalls, or clarify on the plans that all stalls are EV ready.

54. Provide the minimum required number of bicycle parking spaces distributed as both Short Term and Long Term bicycle parking for the residential and commercial uses, as required per Sections 28.141(4) and 28.141(11). A minimum of 702 resident bicycle parking spaces are required plus 47 guest stalls. A minimum of 90% of the resident stalls shall be designed as long-term parking, and the guest stalls shall be short-term parking. Up to twenty-five percent (25%) of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking. A minimum of 2 short-term bicycle stalls shall be required for the commercial uses. Identify and dimension the bicycle stalls, including the access aisles, on the final plans. Provide a detail of the bicycle rack design.

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

56. Section 28.185(9)(b) requires that every applicant for a demolition or removal approval that requires approval by the Plan Commission is required to get a Reuse and Recycling Plan approved by the City Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9)(b) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for two (2) years from the date of the Plan Commission approval.

Madison Fire Department (Contact Bill Sullivan, (608) 261-9658)

57. MFD has safety concerns with the location of the primary entrance along the left hand turning lane from Broom Street onto Gorham Street. We anticipate vehicles stopped for emergency services, deliveries and/or pick-ups will result a greater risk of traffic collisions.

58. The complexity of the proposed building will result in multiple fire protection features such as but not limited to FDCs, FAAP, & key boxes. Additional conversations regarding fire & life safety systems will be required prior to construction.

Parks Division (Contact Kathleen Kane, (608) 261-9671)

59. 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 Central Park-Infrastructure Impact Fee district. Please reference ID# 23036 when contacting Parks about this project.

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

60. 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.

61. 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 who's 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.

62. City Forestry will issue a street tree removal permit for two trees: 16" Elm for driveway apron & 19" Elm for construction conflicts along W Johnson Street. 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.

63. 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 (608) 266-4816. Penalties and remediation shall be required. Add as a note on the site, grading, utility, demolition, and street tree plan set.

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

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

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

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

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

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

70. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction (website: https://www.cityofmadison.com/business/pw/specs.cfm) - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan and street tree planting plan shall be submitted in PDF format to City Forestry for approval of planting locations within the right of way and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note on both the landscape and street tree plan sets: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.

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

71. Private wells may have served the parcels associated with this project prior to municipal water service connections. The existing properties will require an internal and external survey for potential unabandoned private wells prior to proceeding with demolition. Any remaining unused/unpermitted private wells existing on this parcel must be properly abandoned according to Wisconsin Administrative Code NR 812 and Madison General Ordinance 13.21 prior to the demolition of the property. Please contact water utility staff at (608) 266- 4654 to schedule an on-site private well survey prior to demolition, otherwise for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs. 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.

72. 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.

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

73. The City of Madison will designate a vehicle travel lane on the south side of West Johnson Street as a fixed guideway facility for transit operations with the Federal Transit Administration. This official designation, and the associated restrictions against general traffic usage, allows the City of Madison to receive annual Federal funding that goes towards the operation and maintenance of these lane facilities for transit operations.

74. Any operational impacts to the designated transit travel lane along West Johnson Street, that may be approved by City Traffic Engineering to facilitate construction of this project, may require that the applicant post a deposit or otherwise reimburse Metro Transit and the City of Madison for the potential loss of Federal funding - for any period of time where scheduled transit trips might be operationally impacted from having exclusive access to this fixed guideway facility.

75. The applicant shall include the location of these facilities on the final documents filed with their permit application, so that Metro Transit may review and effectively plan for City transit access adjacent this property.

76. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 366 Weekday & 165 Weekend (average). Please contact Metro Transit if additional analysis would be of interest.

Certified Survey Map

Engineering Division (Main Office) (Contact Timothy Troester, (608) 267-1995)

77. Drainage comes to this site from offsite locations. The site design shall accommodate existing off site drainage that enters this property.

78. 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)

79. Construct sidewalk, terrace, curb and gutter and pavement along Broom/Johnson/Gorham to a plan as approved by City Engineer

80. 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)

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

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

82. Contact Grant a Public Sidewalk (s) to the City on the face of this Certified Survey Map. Easement to provide a 8' terrace, a 6' sidewalk and 1' maintenance area final location to be approved by Engineering and Traffic Engineering. Contact Jule Smith with Engineering Mapping (jsmith4@cityofmadison.com, 608-264-9276) for the final easement language to be included on the face of the CSM.

83. Any portion(s) of a public easement that is intended to be released shall be released by separate document prepared by City Office of Real Estate Services. Contact Jule Smith of Engineering Mapping (jsmith4@cityofmadison.com, 608-264-9276) to coordinate the Real Estate project, and associated information and fees required. If any release is required prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the plat. A release for the existing Public Easement for a Fire Hydrant appears to be required for proposed improvements on the associated concurrent development plans. Assuming approval from the other appropriate agencies, Fire, Engineering and Water Department. Provide the fee, exhibit and legal description for the release of the easement.

84. Work with City Real Estate as needed on the purchase of 405 Gorham St - ORES 12863

85. Show the "Recorded as" information for the segment adjacent to C1 from Document 1243394 and show and the no access areas acquired in Document 1243394 and cite them acquired as such.

86. Various easement exist on site for cross access, ingress egress, and electric utility the structure in the proposed development conflicts with easements as currently shown on the CSM. Currently title is not even held to clear some of these up with the act merger. Release these easements provide the recorded documents and remove them from the CSM.

87. Fully detail the 8’ Wide Joint Driveway Easement Doc. No 592654 that appears to be remaining

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

89. In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The Surveyor shall identify any deviation from City Master Control with recorded and measured designations. Visit the Dane County Surveyor's Office (web address https://www.countyofdane.com/PLANDEV/records/surveyor.aspx) for current tie sheets and control data that has been provided by the City of Madison.

90. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM in pdf format must be submitted by email transmittal to Engineering Land Records Coordinator Jule Smith (jsmith4@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.

91. Per 236.20(2)(h) show the center line of all streets.

92. Show the "Recorded As" Bearings for Johnson Broom and Gorham Street per the Pritchette Plat... 45° in all directions. Also show the "Recorded As" Lot distances where applicable of 66' x 132' such as the common line between lot 5 and lot 6 should be shown as (132')

93. List the adjustment use for the coordinate system i.e. NAD 83(2011)

94. There are currently multiple owners and mortgagees for the property. make sure any and all are property listed at the time of final review that may pertain to the property

95. Further explain, revise or find further evidence against the 64.85' Right-of-Way width of W. Johnson Street. No found monuments have been shown in this area and this does not seem to be the case when comparing to CSM 13892

96. Submit to Jule Smith, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work, preferably closed polylines for lot lines, shall be void of gaps and overlaps and match the final recorded plat:

    a) Right-of-Way lines (public and private)

    b) Lot lines

    c) Lot numbers

    d) Lot/Plat dimensions

    e) Street names

    f) Easement lines (i.e. all shown on the plat including wetland & floodplain boundaries.)

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

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

97. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along N. Broom Street.

98. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along W. Gorham Street.

99. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along W. Johnson Street.

100. Due to the increased intensity of pedestrian activity at N. Broom Street and W. Gorham Street resulting from the increased density of this development, City Traffic Engineering intends to study the feasibility of making alterations to the existing left turn lane from N. Broom Street onto W. Gorham Street. Pending the results of the study, the applicant shall work with Traffic Engineering and Engineering Divisions on improving the existing pedestrian crossing of W. Gorham Street adjacent their proposed project. Improvements may include but are not limited to: signing and marking improvements, lighting improvements, constructing a raised crossing, reducing the width of the crossing and/or removal of the left turn lane from N. Broom Street to W. Gorham Street.

Parks Division (Contact Ann Freiwald, (608) 243-2848)

101. LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.

102. Park impact fees are due and payable prior to issuance of building permits.

Office of Real Estate Services (Contact Lance Vest, (608) 245-5794)

103. Prior to approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate(s) on the CSM shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report.

    When possible, the executed original hard stock recordable CSM shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.

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

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

106. All ownership consents and certifications for the subject lands shall conform to Wis. Stats. 236.21(2) and 236.29 by including the language …surveyed, divided, mapped and dedicated….

107. As of October 20, 2023, the 2022 real estate taxes are paid for the subject property.

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

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

108. As of October 20, 2023, there are no special assessments reported. All known special assessments are due and payable prior to CSM approval sign-off. If special assessments are levied against the property during the review period and prior to CSM approval sign-off, they shall be paid in full pursuant to Madison General Ordinance Section 16.23(5)(g)1.

109. 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 survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report (May 18, 2023) submitted with the CSM application and include all associated documents that have been recorded since the initial title report.

    A title commitment may be provided, but will be considered only as supplementary information to the title report update. Surveyor shall update the CSM with the most recent information reported in the title update. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.

The following agencies have reviewed this request and has recommended no conditions of approval:

Planning, Zoning, Assessor's Office, Fire, Forestry, Water Utility, Metro, Parking

URBAN DESIGN COMMISSION MEETING REPORT **November 1, 2023**

Agenda Item #:	**9**
Project Title:	304-318 N Broom St/408-430 W Johnson St/407 & 431 W Gorham St – New Student Housing Building in UMX Zoning
Legistar File ID #:	76205
Members Present:	Cliff Goodhart, Chair; Jessica Klehr, Shane Bernau, Rafeeq Asad, Marsha Rummel, Wendy Von Below, Christian Harper and Russell Knudson
Prepared By:	Jessica Vaughn, AICP, UDC Secretary

Summary

At its meeting of November 1, 2023, the Urban Design Commission made an advisory recommendation to the Plan Commission for **INITIAL APPROVAL** of a new student housing project located at 304-318 N Broom Street/408-430 W Johnson Street/407 & 431 W Gorham Street in UMX Zoning. Registered and speaking in support were Brian Munson, and Jeff Zeliesko. Registered in support and available to answer questions were Suzanne Vincent, Austin Pagnotta, and Doug Tichenor.

Zeliesko commented that he has been reflecting over the last two informational meetings, this project is a great example of government and the private sector working together to elevate a project from where it started to where it has evolved. He is very excited about where the project now, and feels that with staff and the Commission, they have made a really big and important project way better by working together. Thank you for that.

Zeliesko provided an overview of the Commission's comments, including those pertaining to color, green roofs, landscape around the front of the building, and refining the design of the masonry. They have continued to refine the entry court with entry points and will continue to do so. The bridge is something that activates and connects Buildings 3 and 4. On Building 1, there was discussion on making this a U shaped element, but the E shape is very important. The top of the building is really activated with landscape and uses. Building 1 was really squat before, and they updated it to add metal panels between each floor, which added a vertical element. A much lighter color has been used at the ground level to lighten up the base of the building. More color variation has been incorporated into the material palette across materials. Lots of landscape material has been added up against the building along W Johnson Street. They worked on the bridge quite a bit, it is much more elegant than what was shown previously. The buildings really do seem like they have been built at different times, like a collection of buildings.

The Commission had the following questions for staff and the development team:

- This is like the most improved thing that I have seen in a very long time. For where it was and where it is now, the way materials are starting to overlap, intersect, transition, I love the details. Very good improvements. Do you only have two very small MEP penthouses – is that all you need?
    - They are not small. They are 10,000 square feet, they are significant. As we continue with that, if there are any adjustments we would come back to you with those.
- I don't think the penthouse has to match the façade. Lighter would blend into the sky, but darker could work. Very good job of improving the design.
- Was there an intent to light those mass elements in some way?
    - No that was not a part of what we were focusing on.
- Can you describe why the second level is so important for the bridge?

    - There are amenities that can be accessed by the residents without having to go outside. We like the bridge idea, it's dynamic, the buildings are separated but still tied together.
- We've seen a clearer vision for the rooftops and I'm thinking about the people in Building 4 getting there. Wondering if a higher bridge would be a better benefit.
    - The rooftop is all within Buildings 2 and 3 intentionally. We were trying to build off of staff's recommendation to separate these into two masses as much as possible. This reinforces that expression for the upper floors as completely detached buildings.
- There are a lot of changes and some of them are quite attractive. With regard to the staff report looking at the residential units located on the auto court and whether they should be on Johnson Street at all, as opposed to somewhere else, Broom Street?
    - The grade transition across Johnson creates both opportunities and challenges. It becomes a full exposed lobby space on Building 4. As you go into Building 3 and move up towards Broom Street, it eventually comes down to the amenities at grade with Broom Street. We looked at how we both activate and transition across that. On the Broom Street corner where we're flush it's mostly a landscape treatment that comes down the hill. He Transition from Building 2 down to the western edge of Building 3 where we have a half floor, we have a combination of landscape treatment but also opportunities for public art panels. The maintenance room is where we start to transition from a partial exposed floor to a full floor exposure. Those are townhome units so you would enter from the second floor and come down into this living room level. We felt it was important to continue that activity down to the sidewalk.
- Could you show the rendering?
    - We had townhomes with residential along this whole stretch, there was discomfort with that. When we brought the residential down we didn't want two units with direct access from the street. There is activity because there are recessed terraces behind the face of the building. Good for activity without adding two small entrances that didn't seem to be enough.
- I think that one of the difficulties is that this development is broken into four buildings. 1, 2 and 4 do a really nice job of expressing themselves as buildings because they have entries or retail, or big amenity spaces. This expresses itself certainly as its own building, but it defies entry. You look at that and think that could be a separate building, but without the retail, you can't get in there anymore. This is the urban design problem of the whole project, it probably has a lot to do with the grade. You look at this and say "this can't be its own building, you can't even get in there." There's this screen on top of the maintenance room, and I think it's the one element that's giving me the biggest heartache and concern, this rendering. I'm also a bit confused about the metal panel over the brick and being the same color, but that's not really an urban design issue. That may have something to do with the staff report about blank walls, street orientation and entry.
- I'm having a hard time understanding the space between the south side of the existing building, the U-shape, what happens in there? It's hard to tell. I wish there were some sections through there, I'm curious what it feels like. Over on the east side coming around, is that the Equinox building? Curious about the safety in there, if it's dark at night what it feels like.
    - There are a bunch of things going on back here. Coming off the plaza on our side we have a sidewalk and exiting path for the building. This area through here is lawn, but it tips down. There is a retaining wall that spans that grade, this area of the Equinox is up a floor. They have some sidewalks through here but not a lot of activated space on that side of the building. We do have some lighting along there for the exiting path, but there's not a lot of back and forth. This side is the driveway entry to their underground parking. At street level we're roughly at grade, this sidewalk will be higher in sections than the driveway down to the Equinox. Then as you come to the south it begins to transition back down to grade. This is designed here for people to go through, all the combinations of lighting in there to make that inviting. This zone here is not an activated zone, it's a transition in grade adjacent to some of the utility rooms within our building, and the retaining wall on the Equinox side.
- The exiting path on the east side, is that high building on one side and retaining wall on the other?

    - No, it might be a little bit higher than sidewalk grade is for the Equinox. It's not a hidden zone along that east side.
  - Can you clarify again where you said the blank façade is on the upper floors?
    - This is the wall. The higher units have bathrooms in those locations. That's where we end up not having windows there, that's where plumbing walls are located. Its better that there aren't windows there in relation to the Equinox building.
  - On that elevation, there are windows on the first five floors or so?
    - Right.
  - Those aren't looking directly into the Equinox?
    - There's glass that does wrap around on those lower floors. Those are bedroom windows from 9 down. There's a living room window here, totally different planning from the floors above.
  - I'm confused why on the upper floors it would be a concern that you're looking into the Equinox, but it's not a concern on the lower floors where you do have windows.
    - We have almost a single-sided hallway. We wanted to move as much of the glazing out to the exterior viewpoint, which by default, we've got this narrow expression here above floor 9. We wanted to keep windows out which means the bathrooms are clustered in that corner.
- One questions for staff; on Johnson Street, the narrow white building, it has a very cool canopy, but it looks like it is coming out over the sidewalk. Is that allowed?
- (Secretary) Yes, a Privilege in Streets Permit would be required, depending on the encroachment.
    - We are anticipating obtaining a Privilege in Streets Permit.
- Are you planning on a restaurant amenity for that second floor of Building 2 or 1? I am asking about kitchen exhaust. Thinking about the conditions of that alley.
    - Yes, we are planning for it, and it is a good use for that space, but we cannot guarantee that. That is what we envision there and would set aside the provisions for putting in ducting and proper exhaust for a restaurant space.
- I would recommend you try to avoid putting kitchen exhaust into that area [the promenade] and take it out to the street where air and wind can take it away. I am also thinking about that generator. No one wants that running. It needs to be tested, it will add emissions, noise, etc. into that tight area.
    - Similar to what we have done at the Oliv, James and The HUB, the design of that front façade retail is going to be set-up to address venting points to give us flexibility because we don't know. As far as the generator there is a retaining wall right here that will help shelter some of that noise, but the thought is to vent towards the side yards and not the promenade.
- I want to point out some things I like: the art panels going up Johnson, that is really exciting and a cool splash of color, and the landscape, that will be a nice addition to that foundation. I like the healthy sized green roofs. Architecturally, I like the material palettes are how they are limited – it strengthens the identity of each building and mass without endlessly changing between materials like we often see. It really reinforces the mass which is great. Bike parking, I trust that you have all that you need, is there any at grade bike parking along Johnson?
    - We tried to scatter it throughout the site, clustered it around entrances. We have bike rooms at grade at Building 4 accessible from the exterior. We have bike parking components in the middle, left of the entry of Building 3. We have bike parking clustered in the plaza space. We do not have bike parking on the Johnson frontage but do in the auto court, which is visible from the street, outside the building.
- The corner of Gorham and Broom – that plaza is nice. The tapestry of paving and protecting edge with low raised planters that you can see over is very successful.
- Can you elaborate on the planting scheme for the green roofs? Profiles, intensive, extensive?
    - With regard to the Broom Street plaza I will just note that we are working with staff, entertaining the idea that the slip lane goes away, but hopefully one day that plaza could be expanded, but that is outside of our scope.
    - The lower roof deck on level 9, this is our most intensive green roof treatment; a 12-inch system with lots of perennials, color, texture, plants that would provide a benefit for pollinators.
- What is defining those edges of the pattern – is that planting to planting or is it a pavement band?

    - There will be a maintenance edge along the perimeter but the interior line work is the division of planting areas. We are not thinking there will be anything exposed there.
    - On this level, on top of Building 2, there is more of a traditional green roof 6-inch profile with sedums, within that there will be some strategic areas with taller plantings mixed in, but generally it is more of what you think of when you think green roof. On the top of Building 3, there is a range of depths, some we can do small trees and large shrubs, definitely perennials too. Kind of a little bit of everything.
- Going back down to grade, am I right that most of the street terrace is lawn where all the street trees are?
    - Yes.
- It looks like you are protecting a lot of trees? Curious what if anything is changing?
    - These are all the existing that are going to remain. Two on this frontage and one here. We are keeping the rhythm but filling in the gaps where driveways are being removed. To clarify, there are two removals on W Johnson, there is a root condition and the other will be removed due to the new driveway.

The Commission discussed the following:

- The staff memo talks about the height, materials, long views; I am ok with all of those things. I like the simplified forms, and the attention to details. I am not uncomfortable as it relates to those items.
- I agree, I know staff asked us to look at height, mass, and scale and note the tallest capital view height limit, but I do not have issues with those. In general the refinements that were made to the materials and detailing are much improved; it is looking to be quite handsome. The concern about the massive urban design problem – the building that has no entry, also remains my only concern. I do not have issues with the detailing of the bridge connection, the design detailing along the promenade and building. It is a bit odd and problematic and I am not sure how it gets solved. In some sense that screening makes it worse, not only is it not an entry but it is actually blocked. That is for me problematic and it is also enhanced by the linearity of the landscape that runs straight through. There is not an entry, there was never going to be an entry, and you are cut off from the street. It is the one thing that I am really stuck on. Most buildings have an entry and so it is odd; I understand that they are doing form follows function, but this is truly an urban design problem and the biggest hang up to getting an approval.
- This is half the block, Building 3. When we are all talking about hitting it out of the park 99 percent of the time, I don't necessarily feel like we can't criticize a focused area and ask for improvement there. This is on paper and there are certainly other ways to look at it. I'm not suggesting we completely redesign the building, but I especially, what you mentioned about this wall here. I could see a set of cascading stairs coming down, this is a little courtyard I think and it probably doesn't even need to be accessible because there are other accessible paths to that area. It is not up to us to design it, but if this is to give us the illusion of a separate building, it is a little fortress like.
- The staff report did talk about not having any entrances along Broom Street, but Broom Street is so open and glassy it doesn't given the illusion that you cannot get in there. And Building 4 is really successful because you have these two entrances here on the north and south sides. You can see the difficulty in the slope there and it makes it really tough because you have parking on side and apartments on the other. It's not an easy problem to fix, but it is an urban design problem.
- If this was one building and it looked like one building, this would not be a concern, right? I'm trying to think out loud and play this through. If there were two entries on Johnson Street, this wouldn't be a problem?
- We don't know. They are trying to make them look like separate buildings, so therefore this looks like a separate building with no entrance.
- I understand that. I personally have no issue with it. Would it be better with an entry, yes, but to me it's not a deal breaker. They could turn the maintenance room and put an entry in there, they could come up with a solution. If we require an entry, they will make an entry.
- I don't know that we dictate entry, but here's an outdoor open space. If there was a connection to the sidewalk, it doesn't necessarily have to be an entrance to the building.
- I agree, to me it is the last little problem, that street connection. Otherwise I have no other comments or critiques. They will figure it out.

- Are we speaking mainly to the access or lack thereof of the two five-bedroom units, or just the building in general? The functionality of having a Johnson Street entry to those, they're the only two residences on that floor, the rest is retail and amenity space.
- There's no entrance along here but certainly street activation. It's not something that is a prescriptive solution, it's a concern that staff raised and since it's half a block of Johnson Street, a main thoroughfare, that's something to be addressed. And the continuous landscaping makes it more of a barrier.
- It's a straight arrow that is preventing the connection from the building to the sidewalk. We don't need to design it but there needs to be at some point that urban connection.
- I'm open to any kind of elegant solution to your concerns, but personally it's not rubbing me the wrong way.
- I think the townhouses there are awkward. I understand the concern from that perspective. I wonder if there is an easy solution, a way to empower pedestrians to go into the vehicle space/promenade, and a stronger way to connect all the way through for a pedestrian that also activates that lobby. I wonder if there is a way to activate internally so people know that's how you get into this building, you go in and under, it's well lit and there's a purpose towards that elevator. Any similar thoughts?
- I'm trying to grapple with this façade because it is so monumental. It reminds me of downtown Chicago retail with these enormous three-story glass walls. But that's not what it is, it doesn't feel like it's accomplishing…I want to make sure we're all keeping in mind the height, the bonus stories.
- (Secretary) The model we're using to evaluate height is afforded to them under the UMX zoning district. We won't be looking at the PD standards, they are in the process of negotiating a voluntary land use agreement for the bonus stories. That is something the Plan Commission and Common Council will be evaluating. The UDC is looking at the building in terms of the Downtown Design Guidelines.
- You all taught me as the citizen member to look at a building as four-sided. This is a six-sided building, this side doesn't work as part of a four-sided building to me. It looks pretty but doesn't feel pedestrian friendly, it's too monumental.
- Are we dying on the hill that this needs to have an entrance?
- I don't want to die on a hill, and I don't know that it needs an entry. I think it needs a connection to the street somehow.

A motion was made by Asad, seconded by Von Below, to make a recommendation for Initial Approval with the condition that they incorporate a connection to the street along the W Johnson Street elevation.

Discussion on the motion:

- I do agree that it can be a little bit better. Seeing how much it improved from the last time, I know when it comes back it will be ready for Final Approval. The other side on Broom Street is not an entry, but it's classy, it's active, there are things you can easily do. Look at it one more time, there are so many options to solve that problem.

Action

On a motion by Asad, seconded by Von Below, the Urban Design Commission made an advisory recommendation to the Plan Commission for **INITIAL APPROVAL**. The motion passed with the following condition:

- That a connection to the street be incorporated along the W Johnson Street frontage.

The motion was passed on a unanimous vote of (7-0).



Johnson & Broom Steering Committee Report

November 10th, 2023

The Johnson & Broom Street Steering Committee convened after the first initial steering committee on July 26th and formal neighborhood postcard meeting on September 7th for the development co-hosted by city staff, the Campus Area Neighborhood Association, District 4 Alder and Development Team. The proposed location of the Johnson & Broom Project by CORE Spaces falls within the 4th Alder District.

The Campus Area Neighborhood Association (CANA) led the steering committee for the Johnson & Broom project and hosted public meetings dedicated to topics regarding the proposal; Eli Tsarovsky (past CANA President), Cleo Le (past CANA Vice President) and Tanner Mechura (current CANA President) of CANA co-led these meetings via Zoom and in person. Through this process, the steering committee and developer discussed: affordability, resident experience, management and operations, sustainability, and design. The steering committee process included:

- The initial neighborhood meeting,
- Three steering committee meetings with the developer, and
- One steering committee meeting without the developer.

In addition, the project was discussed during several Johnson and Bassett Steering Committee meetings that took place from March until June.

CANA publicized the meetings through the CANA email list, the Capitol Neighborhoods Inc. Miffland District email list, CANA and partner social media, and other neighborhood communications.

The steering committee has appreciated the development team's continued engagement with the neighborhood. The developers started early with the neighborhood input process and provided information to the community through an extensive steering committee process. The development team offered continued updates and welcomed the steering committee as an essential input body. The steering committee and development team exercised a high level of transparency throughout the steering committee process.

After extensive discussion, the steering committee found more pros than cons in the project and thinks the project will benefit the Madison Community. The steering

committee would like to highlight parts of the project they appreciated and provide specific feedback for improving the project.

The feedback on the project is organized into four categories: ***Affordability Component***, ***Resident Experience***, ***Sustainability***, ***Urban Design***, *and* ***Additional Community Considerations*** for the Plan Commission to consider. These considerations and highlights from the steering committee can largely be considered among the Approval Standards 1, 2, 6, and 9 for Conditional Uses. The affordability component should be considered under the current ordinance Chapter 28 under subsection 28E. - Section 28.071.

Affordablility Component

Overall, the Steering Committee is excited to see the development team use the new downtown ordinance to create voluntary low-cost student housing in the Campus Area. To reflect the sentiment of the Downtown Neighborhood Coalition's Affordable Housing Resolution signed on by the Capitol Neighborhood Inc. and the Campus Area Neighborhood, the steering committee strongly encourages the developer and Plan Commission to seriously consider the content in the resolution (resolution is linked below)

Does the added density supply need housing stock in the neighborhood while matching the downtown plan recommendations and surrounding/emerging context?

While the proposed development at Johnson and Broom would significantly expand the supply of housing in the neighborhood, there are many important factors to consider beyond the total number of units or beds being produced. To be sure, much more student housing is needed downtown and in near-campus neighborhoods. However, as housing experts and policymakers have noted, all "three P's" of housing must be considered when evaluating housing policies and development proposals:

1) ***"Production*** of new housing at all income levels, **especially affordable housing**;
2) ***Protection*** for current residents to avoid displacement;
3) ***Preservation*** of existing housing affordable for lower- and middle-income residents" (Shaw, 2020, p. xvii; Metropolitan Transportation Commission, 2023)

There is clearly an urgent need for the production of more affordable and market-rate student housing downtown, and this will require the construction of new high-density buildings. However, when there is a shortage of developable space downtown and students are struggling to find the decent, affordable housing that they need to gain access to education, affordable units or beds should be a significant component of all new, high-density student housing developments. This need was expressed in the

Downtown Neighborhoods Coalition Affordable Housing Resolution, which was approved by CANA, CNI, the Marquette Neighborhood Association, and the Tenney-Lapham Neighborhood Association in 2021 and 2022. This Resolution notes that, at the current average Madison hourly wage of $17.24, a student would have to work 46 hours per week to afford the average one-bedroom apartment in downtown Madison (Downtown Neighborhoods Coalition, 2021). Students also typically work lower-paying service-sector jobs, and at the Wisconsin minimum wage of $7.25 per hour, a student would have to work 94 hours to afford the average studio apartment in downtown Madison, and 110 hours to afford the average one-bedroom apartment (DNC, 2021). In the Resolution, the Downtown Neighborhood Coalition "requests that **at least 15% of available units [in new downtown developments] be qualified as affordable"** for a household earning 30% of Dane County's Area Median Income (DNC, 2021). The Downtown Neighborhood Coalition also **"expects developers to seek out financial assistance from the City of Madison**, Dane County, federal, and/or other local funding partners … **prior to indicating to neighborhoods or development approval bodies** like the Plan Commission **that affordability was not an option** for the given project…" (DNC, 2021).

Below are some comments from neighbors that were submitted in our neighborhood survey for the project:

- "20% should be discounted. Currently all of the housing being torn down to develop this plan is affordable housing so this is only adequate for the displacement of multiple affordable housing projects already available."
- "Only 10% are considered affordable by the developer? Consider removing the pool/green space/other unnecessary amenities that drive up prices."
- "Much more than 10% of units should be discounted. Aim for 50% or even more"
- "A larger portion of the project should be affordable housing, as there the greatest housing deficit for the lowest 30% of income in Madison, to actually combat that problem, at least 30% of this project should be affordable housing, if not the deficit will shrink for upper and middle income renters at a greater rate than for the lowest 30%."
- "Reasonable accommodations"
- "I'd like to be more informed about this."
- there needs to be a higher percentage of affordable units. 10% is hardly anything. At least 30%-50%. So many students can't afford housing as it is downtown and these units will be expensive. You are only creating more luxury housing right now and the demand for affordable housing is massive.
- "While 10% being less than dorms is great, it's important to note that dorms are extremely unaffordable over long term. Freshmen live in them in order to make friends and because they're not aware of other options, not because they can sustainably pay that price. For almost everyone I was friends with, budgets going into apartment shopping was $400-900. All is less than a dorm

price and $700-900 is still an expensive option. 90% of the building being more than dorm prices is mind boggling."

- "Affordability is subjective and I would appreciate some actual numbers regarding price range. I come from a low income family and I'm an out of state student so expenses are something I have to very very strongly consider before making any decisions"
- "Every resident should have their own bedroom or else lower income students will be forced to share bedrooms which negatively impacts academic performance and mental health. 10% of beds at a discounted rate is not appropriate this number needs to be much higher, at least 20%"
- "Having things like a laundry room on each floor or a fitness center is nice, but affordability is more important. If both can be done, great, but otherwise prioritize giving students a place to live."
- "My greatest concern is that only 10% of the units will be offered at below market rate. There are many more students who would need affordable housing, so it would be good if Developer could offer more such units within this building."
- "Please consider affordable rates for graduate students, even those that may not be eligible for financial aid, as this is a financially difficult time for many students"
- "Most housing is out of the budgets of students. Affordable for students should realistically be under $800 per room"
- "Firstly, to have any impact on Madison affordable housing, this development project must provide at LEAST 30% affordable housing units. This is compared to the dismal 10% that is currently being offered. Secondly, by only letting low income students receive a discount on housing in double occupancy rooms, you are still not giving low income students the same living opportunities because not all low income students want to have 3 roommates and to share a room with another person. For the housing to truly be affordable to low income students, I believe we should be able to rent any unit at a discounted price without being forced into a double occupancy unit because that is what other students have the opportunity to do. If low income students wish to share a room with someone to save more money, they should be able to do that too. However, with the current guidelines for low income student housing in the apartment complexes, you will only continue to push low income students further and further off campus. When my parents went to UW-Madison in the 90s, they struggled to find affordable housing just like I am. At one point they had 5 people (illegally) living in a 2 bedroom duplex because that's all they could afford. When I began my housing search freshman year, they were extremely saddened to hear the state of affordable student housing has only gotten worse, especially due to all of the expensive high rise apartments being built on campus. I understand that no matter what low income guidelines come out of this project, people will still stand in line all morning to sign a lease at complexes like this. I just wish that, even for a

moment, housing developers considered doing good in the community and attempting to alleviate the pertinent issue of affordable on campus housing, rather than just thinking about how much money they can make off of people who have no other choice."

- "30% affordable housing is the minimum. Nothing else will do."
- "There should be section 42 or section 8 housing in this building."
- "If a 4 bedroom apartment is more than $3600, it is not affordable. If a person is sharing a room and paying more than $600, that's not affordable. The rest of the 90% of units need to not be priced at Hub and James prices. This kind of luxury apartment building is what is gentrifying Madison and pushing everyone who is not living off of Daddy's money, out."
- "I was excited to see that there would be ~1500 beds provided in this development, but when I saw that only ~160 would be affordable, I was very disappointed. I like all the amenities and residential experiences, and I love mixed-use zoning, but we can't be depriving low-income students of good locations and over a thousand living spaces just so that we can provide a parking garage and rooftop pool. When I attended a neighborhood meeting on this development project, I was told it would help alleviate the shortage of housing in the campus area, but how can we hope to alleviate a crisis by only helping the people who are already the most financially insulated from the crisis? We absolutely must be evaluating the costs that the residents will incur from these added amenities and reducing rental costs where we can. Please do something about this."
- "I'm concerned there won't be enough accommodations made for students in the middle those who don't qualify for financial aid but are also barely getting by. I feel as if that's the situation for most students."
- "Affordability, affordability, affordability. We do not need more luxury housing. Also, I feel in the dark about how much of this project is actually subject to change from the community."
- "My main concern is that there will be at least 30% affordable housing units in this complex."
- "I'm concerned about the lack of affordability and sustainability [sic]"

Resident Experience

The steering committee considered many aspects of resident experience when evaluating the Johnson & Broom development.

When considering resident experience, the committee welcomes the increase of density the development brings to the site. They hope the increase in people living in the area will activate the space and the bike path. The committee enjoys how the developer uses public art to activate the side of the building facing the bike path. The committee was encouraged to see a lot of bike parking and a dedicated space for

bikes in the project. The steering committee hopes the developer can work with the city to offer a free bike fix-it station near the bike parking (See Bike Madison Website). Additionally, they suggest widening the ramp meant for bikes and adding a railing for safety. Finally, the committee appreciates the natural green space next to the bike path and recommends adding a rounded curb to distinguish between the bike path and green space and adding a rise in the middle for picnicking. Overall, the committee appreciates the development team's intention to make the building a bike-friendly environment by activating the area next to the bike path and incorporating a large amount of bike storage into their project. The committee recommends identifying moped/scooter parking for residents.

The steering committee suggests that the developer provide a detailed management plan for the property to be approved by the Planning Division and reviewed by MPD. In this plan, the steering committee suggests that the development team provide a thorough recycling and garbage plan for residents, address pets and pet amenities, a move-in and move-out plan, and a rooftop management plan (Pool guests and patrons, hours restrictions, etc.). The steering committee suggests that the detailed management plan contains a security plan. Additionally, the committee suggests that the team contact UW-Madison Safewalk (https://transportation.wisc.edu/safewalk/) to advertise services to their residents.

CANA shared a survey with the community to get input and one resident experience comment is:

> "All of these features sound like good things for a living situation and social experience, but if they increase the costs that the residents incur then it's not worth it. I'm expecting that outdoor tables and the Art Moments program would be less costly, and I'd love to promote outdoor space, [but] I could be incorrect about the costs. I'm assuming that a parking garage, outdoor pool, fitness center, conference rooms, etc. would drive up costs for residents, and they seem more like luxuries that could potentially reduce the number of residential spaces that we could construct to alleviate the housing crisis. All of them seem like good things, but some seem better and less costly than others. I'd also like to hear more about the ground-floor retail location, and whether that would also drive up costs. I'm all for mixed-use development, but I'd like to know how it may affect affordability."

Sustainability

The steering committee considered many design aspects when evaluating the Broom & Johnson project. The steering committee appreciates the developer's "green roof" plan on the ninth floor rooftop along Broom Street. Also, the committee is thankful for the developer's addition of seven trees to the street frontage. The

committee encourages the development team to contact the U.S. Forest Products Lab to source materials and use recycled plastic wood for amenity decks.

Does the proposed sustainability approach meet expectations?

> *"Key 9: Become a Model of Sustainability. Downtowns are inherently the most sustainable part of a community. They usually have higher residential densities, more jobs in close proximity to workers, a wider variety of transportation options, and more goods, services, and activities that are integrated into the urban fabric. This plan recognizes the interrelationships among these and other "urban systems" and the objectives and recommendations in each theme area advance the goal of haying Downtown become a leader in sustainability." (Downtown Plan, page 6)*

CANA believes that new buildings should enliven the public streetscape, complement the character of adjacent buildings, and provide inviting entrances to pedestrians/residents. Building designs should be sustainable as well. "Green" architecture–which uses water, energy, and other natural resources more efficiently–is encouraged. Our views are consistent with best practices for urban design and the Downtown Plan:

> *"Vision: Downtown Madison will be a flourishing and visually exciting center for the arts, commerce, government and education. It will be a magnet for a diverse population working, living, visiting and enjoying an urban environment characterized by a sensitive blending of carefully preserved older structures, high-quality new construction, architectural gems, and engaging public spaces—all working together and integrated with surrounding neighborhoods, parks and the transportation system to create a unique and sustainable environment for the community, the region, and beyond." (Downtown Plan, page 5)*
> https://cityofmadison.com/dpced/planning/documents/Downtown_Plan.pdf

CANA is focused on creating positive relationships and a dynamic urban environment coupled with fostering more sustainable lifestyles.

> *The Downtown plan "should be used as a primary policy document when evaluating development proposals. Its goal is to provide a guide for new development potential in a proactive and deliberate way by outlining basic parameters for new development to provide additional predictability for property owners, developers, businesses, and residents. It is important that each proposed development be evaluated not as a stand-alone project, but on how well the project fits the context of both its immediate surroundings and that of the greater Downtown and the vision embodied in this plan." (Downtown Plan, page 23)*

A key recommendation of the Downtown Plan was to “develop a new park near the intersections of Bassett and West Johnson streets to meet the needs of the undeserved high-density housing at this location.” A previous planning process recommended a new park on Bedford Street, but this location would be a good multi-purpose adjacent outdoor amenity for the neighborhood.

Park Space

1. Preserve and enhance historic tree terrace width to provide for a healthy tree canopy.
2. Support a new downtown park in a location that creates a welcoming space for diverse gathering and social events, reflects the history of the neighborhood, provides an opportunity to demonstrate urban greenspace water management and sustainability, and is reflective of the growing diversity of Madison.

Revisiting our community input survey, some sustainability comments are:

- “Green roof is fire [this is colloquial for “good”]. Will there be a community garden or are the plants purely for biodiversity/aesthetic?”
- “The construction of the rooms themselves would also be important for sustainability purposes, such as insulation or having double or triple pane windows. Using permeable materials such as porous paving could also help prevent some rainwater runoff. For whatever runoff that happens regardless, rain gardens could be a useful filtering and infiltration system to mitigate the runoff. Finally, I’m not sure what the approach to composting is like in the city, but I’d like if that were an option.”
- “I like the green roof idea and the walkability of the rooftop, but I’m curious if it would drive up costs more than it would save them. I’m aware that green roofs would regulate building heat and reduce costs for air conditioning, but I’m sure the depth of soil needed and the structural integrity needs to support the vegetation would be expensive too. Would this ultimately be more expensive than otherwise for residents? If so, then we should opt for rain gardens on the green space on the ground, as that would not only mitigate storm water runoff like the green roof would, but it would also provide flood control.”
- “Solar panels must be included. And they should be required to have compost facilities”
- “Why is this developer only aiming for LEED Silver? Surely they could incorporate heat pumps and solar panels to increase the LEED score of this building. Does the city gain from more LEED Silver buildings that are going to need to be retrofitted in 20 years because they were built on the [cheap]?”
- “The developers should aim for gold instead of silver. Sustainability is a top priority for me”
- “It would be great if the rooftop turf area was real plants, especially similar to those on the 9th floor.”
- “Reduced car parking space”

Sustainability information shared with CORE Spaces:

- The Purple-Roof concept improves on the green roof design to maximize storm water retention.
    - https://www.purple-roof.com
    - The concept fosters more water detention than a traditional green roof design. The concept uses friction between layers of needled materials to retain runoff. The Purple-Roof concept is a non-proprietary specification to delay runoff. Water is captured by a base layer of natural needled material which reduces peak runoff intensity and minimizes the need for fertilizer and plant replacement.
- Green, blue, brown and white roofs – what are they and why do we need them?
    - https://gca.org/green-blue-brown-and-white-roofs-what-are-they-and-why-do-we-need-them/

Urban Design

The committee is interested in the public art panel installations along Johnson Street. Similarly, we look forward to seeing art activation of the pedestrian walkway with lighting and a bright ground, whether with lighting or paint, to guide people.

Returning to our community input survey, some urban design comments are:

- "Will people in the apartments facing walls get an adequate amount of sunlight?"
- "Metal panels do not match the character of downtown Madison, and serve to promote a 'luxury' feel while actually saving money. Ultimately would like to see mostly brick exterior to match similar buildings downtown."
- "Anything that can mitigate runoff, eliminates waste, and reduce the carbon footprint of the building would be welcome."

Additional Community Considerations

The steering committee considered ways the project adds benefit to the community. The committee appreciated the project's plaza and its open access to people not living in the building. The committee liked the introduction of more outdoor lighting to the area to increase safety in the area. The steering committee requests continued collaboration with the community on public space to consider how to enhance the exciting opportunity to create a unique outdoor experience for the neighborhood. Some things to consider would be active uses of lighting that could be used to highlight special events - pride month. The street corner on Broom and Gorham provides the development team with a very exciting space to share with the

community and add a new amenity in our neighborhood that does not currently exist. It will be important for them to consider space programming and active programming on the ground floor plan and connecting them to the neighborhood. This could be a great space for music or outdoor activities like community gardening along with other activities. The committee was happy to see the development team expand the public plaza for the residents and neighborhood. It is important to consider how the Broom Street corridor provides a unique entrance to our neighborhood acting like the front door to campus from the east. The steering committee encourages the city to remove the slip lane on to Gorham to expand the public amenity area and improve pedestrian safety for future residents, current neighbors and visitors to our neighborhood.

The committee encourages future surveying of people's thoughts on this project's open spaces with questions like:

- Should the open space be a "green" space or a "hard," paved space?
- What are the community's goals for the open spaces?
- Which local cultural elements should be incorporated?
- How can the arts fit into the open spaces?
- How can lighting work with the open spaces?

The steering committee is excited about the development's incorporation of public art in the development through the panels on the building and the potential for sculptures in the promenade area. The steering committee recommends the development team works with the neighborhood association and the city to find local artists and collaborate on the art installations on the project.

Another consideration is ensuring bicycle parking has not been and will not be reduced throughout this project.

One final comment from our community input survey:

> "I am concerned about the loss of use of the current housing on the build site for the duration of the project. Students living in these buildings currently will be displaced for multiple years. I am also concerned about the construction noise and sidewalk closures in the area as these are already pertinent issues in the neighborhood."

Acknowledgments

The Steering Committee would like to thank the developer for their continued engagement and receptiveness to feedback from the neighborhood. They would like to recognize Eli Tsarovsky, Cleo Le, and Tanner Mechura for organizing the steering committees. They would like to acknowledge Eli Tsarovsky, Cleo Le, and Tanner Mechura for drafting notes, sending out information to residents to keep them informed of the process, and drafting the steering committee Report. Finally, they would like to thank everyone who participated in the Steering Committees. It was great to see people from all surrounding neighborhoods participate and we look forward to your continued participation. Your voice matters.

Additional Information

Meeting Notes

6/15/23 Johnson & Broom Introduction Meeting
7.26.23 Broom & Johnson Project Introduction
9.7.23 Broom Project Neighborhood Meeting
Broom & Johnson 10.16.2023 SC Meeting

Affordable Housing Resolution

Fully Adopted DNC Affordable Housing Resolution.pdf

Affordable Housing Petition

https://chng.it/h9TpKnMqrj

Citations

Dane County Housing Initiative. (2019). *Dane County housing needs assessment: 2019 update*. County of Dane. https://danehousing.countyofdane.com/housingreport

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Metropolitan Transportation Commission. (2023). *Housing protection, preservation & production*. State of California. https://mtc.ca.gov/funding/investment-strategies-commitments/housing-solutions/housing-protection-preservation-production#:~:text=Solving%20the%20Bay%20Area's%20housing,enough%20housing%20for%20all%20residents.

Shaw, R. (2020). *Generation priced out: Who gets to live in the new urban America* (1st paperback ed.). University of California Press.

Wethal, W. (2022, December 3). Just how tight is Madison's student rental market? Researchers hope to find out. *Wisconsin State Journal*. https://madison.com/news/local/education/university/just-how-tight-is-madisons-student-rental-market-researchers-hope-to-find-out/article_da986ffa-8e68-5eef-bc67-5115cc4fd24f.html

City of Madison

City of Madison
Madison, WI 53703
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Master

File Number: 80003

File ID:	80003	**File Type:**	Resolution	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	PLAN COMMISSION
				File Created Date :	09/21/2023
File Name:	CSM - 4510 Packers Ave			**Final Action:**	

Title: Approving a Certified Survey Map of property owned by Robert Sands/ Sands Revocable Trust/ Sands Irrevocable Trust located at 4510-4514 Packers Avenue (District 18).

Notes:

Sponsors:	Planning Division	**Effective Date:**	
Attachments:	Locator Maps.pdf, Application.pdf, Letter of Intent.pdf, 4510 Packers Ave CSM.pdf, Staff Comments.pdf, Link to Rezoning ID 80330	**Enactment Number:**	
Author:		**Hearing Date:**	
Entered by:	tparks@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	PLAN COMMISSION	11/13/2023	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER				Pass

Action Text: A motion was made by Heck, seconded by Figueroa Cole, to RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - REPORT OF OFFICER. The motion passed by voice vote/other.

Notes: On a motion by Heck, seconded by Ald. Figueroa Cole, the Plan Commission found the standards met and recommended approval of the Certified Survey Map to the Common Council subject to the comments and conditions in the Plan Commission materials. The motion to recommend approval passed by voice vote/ other.

Text of Legislative File 80003

Title
Approving a Certified Survey Map of property owned by Robert Sands/ Sands Revocable Trust/ Sands Irrevocable Trust located at 4510-4514 Packers Avenue (District 18).

Body
WHEREAS a Certified Survey Map of property owned by Robert Sands/ Sands Revocable

Trust/ Sands Irrevocable Trust located at 4510-4514 Packers Avenue, City of Madison, Dane County, Wisconsin has been duly filed for approval by the Plan Commission, its Secretary or their designee, as provided for in Section 16.23(4)(f) of Madison General Ordinances; and

WHEREAS Chapter 236, Wisconsin Statutes requires that the Madison Common Council approve any dedications proposed or required as part of the proposed division of the lands contained on said Certified Survey Map;

NOW THEREFORE BE IT RESOLVED that said Certified Survey Map, bond and subdivision contract, subsequent affidavits of correction, parkland acquisition documents, easement or right-of-way release or procurement documents or any other related document or documents as deemed necessary by the Secretary of the Plan Commission in accordance with the approval of said Certified Survey Map are hereby approved by the Madison Common Council.

BE IT FURTHER RESOLVED that the Mayor and City Clerk of the City of Madison are hereby authorized to sign the above mentioned documents related to this Certified Survey Map.

BE IT FURTHER RESOLVED that all dedications included in this Certified Survey Map or required as a condition of approval of this Certified Survey Map be and are hereby accepted by the City of Madison.

BE IT FURTHER RESOLVED that the Common Council authorizes City staff to request approval from the Capital Area Regional Planning Commission of any minor revisions to adopted environmental corridor boundaries within the Central Urban Service Area relating to this land division, and that the Council recognizes and adopts said revised boundaries.

BE IT FURTHER RESOLVED that the Planning Division is authorized to reflect the recorded Certified Survey Map in the Comprehensive Plan and any applicable neighborhood plans.

City of Madison

Rezoning & Certified Survey Map

Location

4510-4514 Packers Avenue

Applicant

Robert Sands
Bryan Stueck, Birrenkott Surveying

Requests

- Rezoning from A to SR-C3
- CSM to create two lots for existing residences

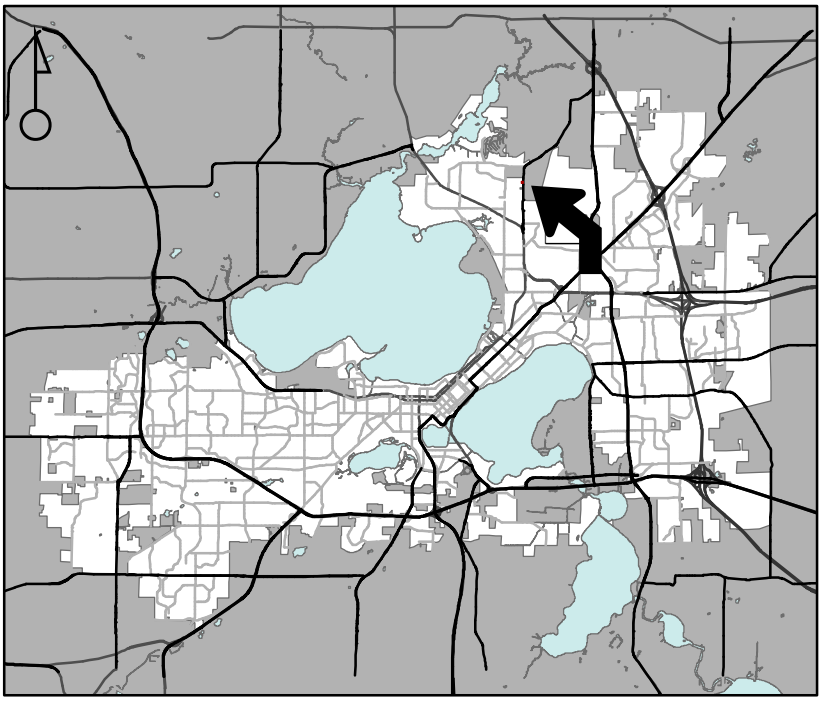
Public Hearing Dates

Plan Commission

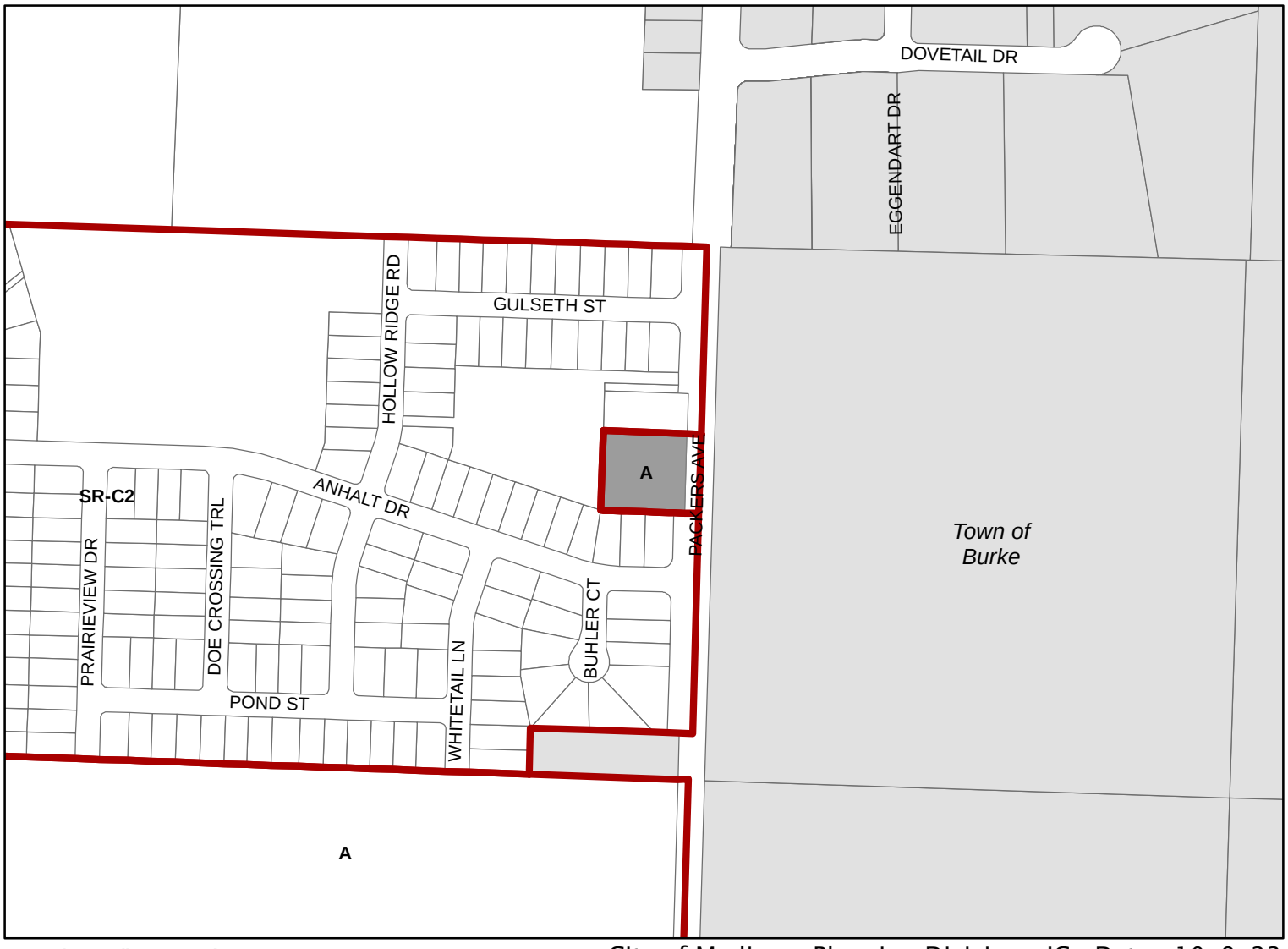
November 13, 2023

Common Council

November 21, 2023



For Questions Contact: Tim Parks at: 261-9632 or tparks@cityofmadison.com or City Planning at 266-4635



Scale : 1" = 400'

City of Madison, Planning Division : JC : Date : 10-9-23

City of Madison

4510-4514 Packers Avenue



Date of Aerial Photography : Spring 2022

SUBDIVISION APPLICATION

**** Please read both pages of the application completely and fill in all required fields ****

For a digital copy of this form with fillable fields, please visit:
https://www.cityofmadison.com/sites/default/files/city-of-madison/development-services-center/documents/SubdivisionApplication.pdf

If you need an interpreter, translator, materials in alternate formats or other accommodations to access these forms, please call the Planning Division at (608) 266-4635.

Si necesita interprete, traductor, materiales en diferentes formatos, u otro tipo de ayuda para acceder a estos formularios, por favor llame al (608) 266-4635.

Yog tias koj xav tau ib tug neeg txhais lus, tus neeg txhais ntawv, los sis xav tau cov ntaub ntawv ua lwm hom ntawv los sis lwm cov kev pab kom paub txog cov lus qhia no, thov hu rau Koog Npaj (Planning Division) (608) 266-4635.

City of Madison
Planning Division
Madison Municipal Building, Suite 017
215 Martin Luther King, Jr. Blvd.
P.O. Box 2985
Madison, WI 53701-2985
(608) 266-4635

9/18/23
8:43 a.m.

NOTICE REGARDING LOBBYING ORDINANCE: If you are seeking approval of a development that has over 40,000 square feet of non-residential space, or a residential development of over 10 dwelling units, or if you are seeking assistance from the City with a value of $10,000 (including grants, loans, TIF or similar assistance), then you likely are subject to Madison's lobbying ordinance (M.G.O. Sec. 2.40). You are required to register and report your lobbying. Please consult the City Clerk's Office for more information. Failure to comply with the lobbying ordinance may result in fines.

1. Application Type

☐ Preliminary Subdivision Plat ☐ Final Subdivision Plat ☑ Land Division/Certified Survey Map (CSM)

If a Plat, Proposed Subdivision Name: _____

2. Review Fees

- For Preliminary and/or Final Plats, an application fee of $250, plus $50 per lot or outlot contained on the plat.
- For Certified Survey Maps, an application fee of $250 plus $200 per lot and outlot contained on the CSM.

Make checks payable to "City Treasurer" and mail it to the following address: City of Madison Building Inspection; P.O. Box 2984; Madison, WI 53701-2984. Please include a cover page with the check which includes the project address, brief description of the project, and contact information.

3. Property Owner and Agent Information

Name of Property Owner: Robert Sands Representative, if any: _____

Street address: PO Box 243 City/State/Zip: Windsor, WI 53598

Telephone: 608-846-3026 Email: _____

Firm Preparing Survey: Birrenkott Surveying Contact: Bryan Stueck

Street address: PO 237 City/State/Zip: Sun Prairie, WI 53590

Telephone: 608-837-7463 Email: bstueck@birrenkottsurveying.com

Check only ONE – ALL Correspondence on this application should be sent to: ☐ Property Owner, OR ☑ Survey Firm

4. Property Information for Properties Located within Madison City Limits

Parcel Addresses: 4510 & 4514 Packers Avenue

Tax Parcel Number(s): 251/0810-193-0092-0

Zoning District(s) of Proposed Lots: SR-C3 School District: MMSD

- **Please include a detailed description of the number and use of all proposed lots and outlots in your letter of intent.**

4a. Property Information for For Properties Located *Outside* the Madison City Limits in the City's Extraterritorial Jurisdiction:

Parcel Addresses (note town if located outside City): _____

Date of Approval by Dane County: _____ Date of Approval by Town: _____

- **For an exterritorial request to be scheduled, approval letters from both the Town and Dane County must be submitted.**

5. Subdivision Contents and Description. Complete table as it pertains to your request; do not complete gray areas.

Land Use	Lots	Outlots	Acres
Residential	2		0.812
Retail/Office			
Industrial			

Land Use	Lots	Outlots	Acres
Other (state use):			
Outlots Dedicated to the Public (Parks, Stormwater, etc.)			
Outlots Maintained by a Private Group or Association			
PROJECT TOTALS		2	0.812

6. Required Submittal Materials

Digital (PDF) copies of all items listed below (if applicable) are required. Applicants are to submit each of these documents as *individual PDF files* in an e-mail sent to PCapplications@cityofmadison.com. The transmittal shall include the name of the project and applicant. Note 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. Electronic submittals via file hosting services (such as Dropbox) are *not* allowed. Applicants who are unable to provide the materials electronically should contact the Planning Division at Planning@cityofmadison.com or (608) 266-4635 for assistance.

☒ **A Completed Subdivision Application Form** (i.e. both sides of this form)

☒ **Map Copies** (prepared by a Registered Land Surveyor):

- For Preliminary Plats, the drawings must be drawn to scale and are required to provide all information as set forth in M.G.O. Sec. 16.23 (7)(a).
- For Final Plats, the drawings must be drawn to scale and drawn to the specifications of §236.20, Wis. Stats..
- For Certified Survey Maps (CSMs), the drawings shall include all of the information set forth in M.G.O. Secs. 16.23 (7)(a) and (d), including existing site conditions, the nature of the proposed division and any other necessary data. Utility data (field located or from utility maps) may be provided on a separate map submitted with application.

For Plat & CSMs, in addition to the PDF copy, a digital CADD file shall also be submitted 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 plat, preliminary plat or CSM as submitted: 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 in title and shown on the plat or CSM including wetland & floodplain boundaries.)

☒ **Letter of Intent**: One copy of a letter describing the proposed subdivision or land division in detail including, but not limited to:

- The number and type/use of the lots and outlots proposed with this subdivision or land division, including any outlots to be dedicated to the public;
- Existing conditions and uses of the property;
- Phasing schedule for the project, and;
- The names of persons involved (property owner(s), subdivider, surveyor, civil engineer, etc.).

* *The letter of intent for a subdivision or land division may be the same as the letter of intent submitted with a concurrent Land Use Application for the same property.*

** *A letter of intent is not required for Subdivision Applications for lot combinations or split duplexes.*

☒ **Report of Title and Supporting Documents**: One copy of a City of Madison standard 60-year Report of Title obtained from a title insurance company as required in M.G.O. Sec. 16.23 and as satisfactory to the Office of Real Estate Services. Note:

- *The Report of Title must have been completed within three (3) months of the submittal date of this application. Title insurance or a title commitment policy are NOT acceptable* (i.e. a Preliminary Title Report or a Record Information Certificate).
- The electronic PDF submittal shall include images of the vesting deeds and all documents listed in the Report of Title.
- *Do not email these files to the City's Office of Real Estate Services*. Send them instead to the email address noted at the top of this page.

☐ **For Surveys Outside the Madison City Limits**: One copy of the approval letters from the town where the property is located *and* Dane County shall be submitted with your request. The Plan Commission may not consider an application within its extraterritorial jurisdiction without prior approval from the town and Dane County.

7. Applicant Declarations:

The signer attests that the application has been completed accurately and all required materials have been submitted:

Applicant's Printed Name: BRYAN STUECK - AGENT FOR BIRRENKOTT SURVEYING Signature: Bryan Stueck

Date: 09/18/2023 Interest In Property On This Date: _____

To: City of Madison - Common Council

Hello;

I'm Robert R. Sands Trustee of the Sands Revocable trust we have ~~two~~ 2 houses on 1 Parcell at 4510 and 4514 Packers Ave. Due to the death of my Parents I want to split the Parcell and sell the houses to settle the estate. Both houses are on a private well and our plan is to hook up to City water which is across the street

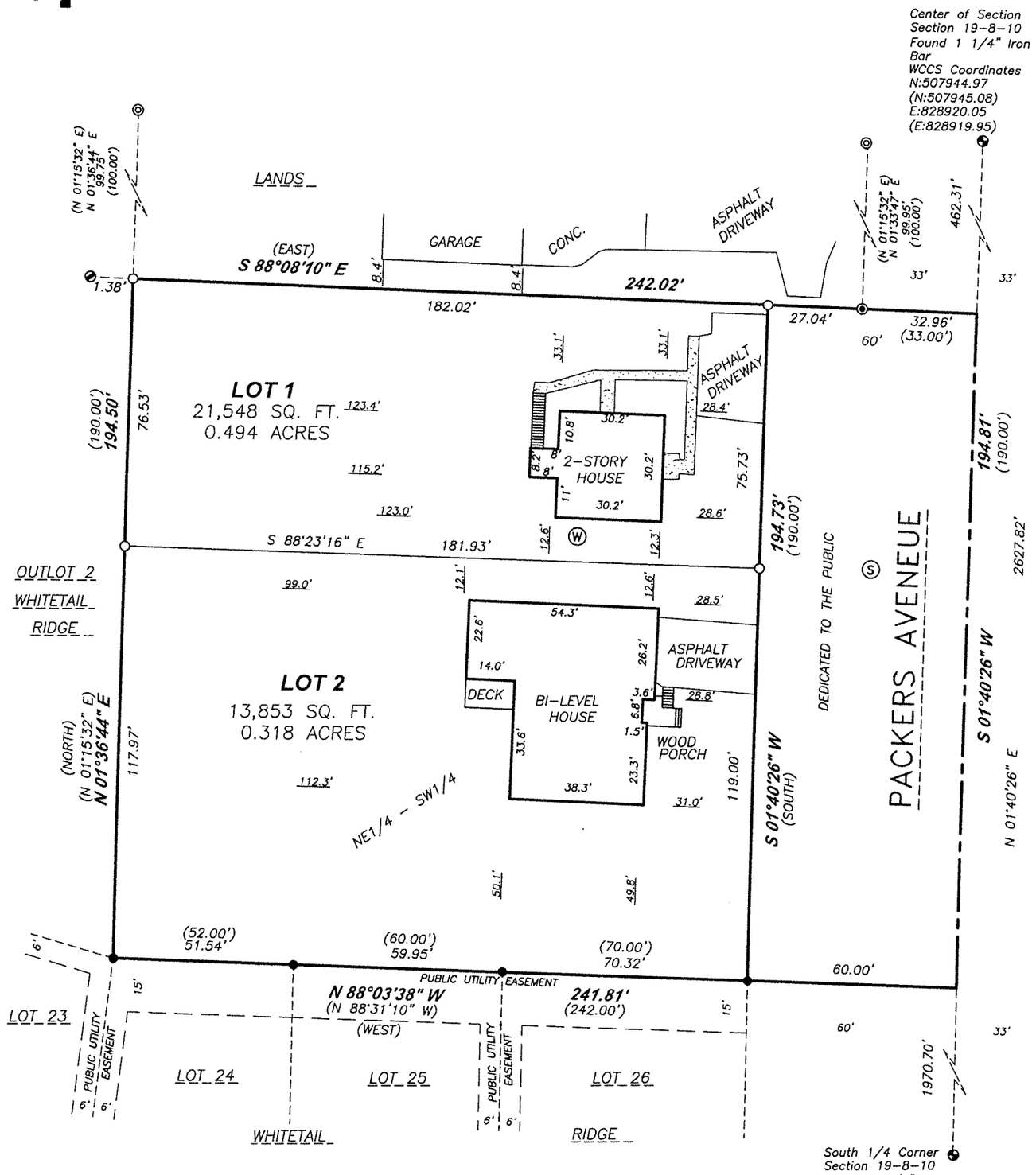
(one house on each Parcel)

Robert R Sands

BIRRENKOTT SURVEYING
P.O. Box 237
1677 N. Bristol Street
Sun Prairie, WI. 53590
Phone (608) 837-7463
Fax (608) 837-1081

CERTIFIED SURVEY MAP

Part of the Northeast 1/4 of Southwest 1/4 of Section 19, T8N, R10E, City of Madison, Dane County, Wisconsin.



Legend:

- = Section Corner
- = Found 3/4" Iron Pipe
- = Found 3/4" Iron Bar
- = Found 1" Iron Pipe
- = Found 1 1/4" Iron Bar
- = 3/4"x24" Iron Bar set wt.=1.50#/ln.ft.
- (S) = Sanitary Lateral
- (W) = Well
- = Concrete

Bearings referenced to the East line of the Southwest 1/4 of Section 19, bearing N01°40'26"E

0 40 80
SCALE 1" = 40'

CERTIFIED SURVEY MAP NO. _____
VOLUME _____ PAGE _____
DOCUMENT NO. _____



CERTIFIED SURVEY MAP DATED: September 15, 2023

Birrenkott Surveying

P.O. Box 237
1677 N. Bristol Street
Sun Prairie, Wisconsin 53590
Phone (608) 837-7463
Fax (608) 837-1081

Surveyor's Certificate:
I, Chris K. Casson, herby certify that this survey is in full compliance with Chapter 236.34 of Wisconsin Statutes and the City of Madison Subdivision Ordinances. I also certify that by the direction of the owners listed hereon, I have surveyed and mapped the lands described hereon and that the map is a correct representation of all the exterior boundaries of the land surveyed and the division of that land, in accordance with the information provided.

_____
Chris K. Casson Professional Land Surveyor No. S-3264

Description:
Part of the Northeast 1/4 of the Southwest 1/4, Section 19, T8N, R10E, City of Madison, Dane County, Wisconsin more fully described as follows: Commencing at the South ¼ corner of Section 19, thence N01°40'26"E, 1970.70 feet along the East line of the Southwest ¼ of Section 19 to the point of beginning; thence N88°03'38"W, 241.81 feet to the East line of Outlot 2, Whitetail Ridge; thence N01°36'44"E, 194.50 feet along said East line of Outlot 2; thence S88°08'10"E, 242.02 feet to said East Line of the Southwest 1/4; thence S01°40'26"E, 194.81 feet along said East line to the point of beginning. Containing 47,088 square feet or 1.081 acres.

Owner Certificate:
As owner, Sands Revocable Trust & Sands Irrevocable Trust, it hereby certifies that it has caused the lands described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on this Certified Survey Map. It also certifies that this Certified Survey Map is required to be submitted to the City of Madison for approval.

Sands Revocable Trust & Sands Irrevocable Trust

_____
Robert Sands, Member

State of Wisconsin)
Dane County) ss Personally came before me this _____ day of _____, 2023, the above-named Robert Sands, to me known to be the person who executed the foregoing instrument and acknowledged the same.

_____ _____
Notary Public, Dane County, Wisconsin. My Commission Expires

_____
Printed name

Surveyed for Owner/Divider:
Robert Sands
PO Box 243
Windsor, WI 53598
608-846-3026

Surveyed: TAS
Drawn: BTS
Checked: CKC
Approved: CKC
Field book: 392/34-36
Tape/File: J:\230170
Sheet 2 of 3
Office Map No.: 230170

Register of Deeds Certificate:
Received for recording this _____day of _____, 2023

at_____ o'clock ____ m and recorded in Volume _____ of Certified Survey

Maps of Dane County on Pages _____.

_____
Kristi Chlebowski, Register of Deeds

Document No. _____

Certified Survey Map No. _____, Volume _____, Page _____

CERTIFIED SURVEY MAP DATED: September 15, 2023

Birrenkott Surveying

P.O. Box 237
1677 N. Bristol Street
Sun Prairie, Wisconsin 53590
Phone (608) 837-7463
Fax (608) 837-1081

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

_____ _____
Matt Wachter, Secretary of Plan Commission Dated

Madison Common Council Certificate:
Resolved that this certified survey map located in the City of Madison was hereby approved by Enactment Number _____, File ID Number _____, adopted on the _____ day of _____, 2023, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said Certified Survey Map to the City of Madison for public use.

Dated this _____day of _____, 2023

_____
Maribeth L. Witzel-Behl, City Clerk
City of Madison, Dane County Wisconsin

Notes:
- Utility Easement: No poles or buried cables are to be placed on any lot line or corner.
-The disturbance of a survey stake by anyone is in violation of Section 236.32 of Wisconsin Statutes.
- Wetlands, if present, have not been delineated
- This survey is subject to any and all easements and agreements both recorded and unrecorded.
- This survey shows above-ground improvements only; no guarantee is made for below-ground structures.

Surveyed for Owner/Divider:
Robert Sands
PO Box 243
Windsor, WI 53598
608-846-3026

Surveyed: TAS
Drawn: BTS
Checked: CKC
Approved: CKC
Field book: 392/34-36
Tape/File: J:\230170
Sheet 3 of 3
Office Map No.: 230170

Document No. _____

Certified Survey Map No. _____, Volume _____, Page _____

PLANNING DIVISION STAFF REPORT

November 13, 2023

PREPARED FOR THE PLAN COMMISSION

Project Address: **4510-4514 Packers Avenue**

Application Type: Zoning Map Amendment and Certified Survey Map (CSM) Referral

Legistar File ID # 80330 and 80003

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

Summary

Applicant& Property Owner: Robert Sands/Sands Revocable Trust/Sands Irrevocable Trust; PO Box 243; Windsor.

Surveyor: Bryan Stueck, Birrenkott Surveying; PO Box 237; 1677 N Bristol Street; Sun Prairie.

Requested Action: Consideration of a request to rezone 4501-4514 Packers Avenue from A (Agricultural District) to SR-C3 (Suburban Residential–Consistent 3 District), and consideration of a Certified Survey Map (CSM) to create two residential lots.

Proposal Summary: The subject parcel is developed with a split-level single-family residence addressed as 4510 Packers Avenue, which will be located on proposed Lot 2 of the CSM; Lot 1 of the CSM will contain a two-story, two-family residence at 4514 Packers. The CSM will be recorded as soon as all regulatory approvals have been granted.

Applicable Regulations & Standards: Section 28.182 of the Zoning Code provides the process for zoning map amendments. The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Regulations. If the proposed CSM is approved by the Plan Commission, a resolution approving the survey and accepting the dedications contained therein will be presented to the Common Council for approval.

Review Required By: Plan Commission and Common Council.

Review Schedule: The State's subdivision statute, Wis. Stats. Ch. 236, requires that action be taken on a Certified Survey Map within 90 days of submittal unless an extension is agreed to by the subdivider. If no action is taken within 90 days and no extension granted, the CSM is deemed approved. The application was accepted for review on September 18, 2023. Therefore, the 90-day review period for this CSM will end circa December 17, 2023.

Summary Recommendation: The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00647, rezoning 4510-4514 Packers Avenue from A to SR-C3, and the Certified Survey Map of the property to the Common Council with recommendations of **approval** subject to input at the public hearing and the comments and conditions from reviewing agencies beginning on page 3 of this report.

Background Information

Parcel Location: The subject site is a 47,088 square feet (1.08-acre) parcel located on the west side of Packers Avenue (CTH CV) between Gulseth Street and Anhalt Drive adjacent to the Whitetail Ridge neighborhood; Alder District 18 (Myadze); Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site is with a single-family residence (4510 Packers) and two-family residence (4514), zoned A (Agricultural District).

Surrounding Land Uses and Zoning: The subject parcel is bordered on the west by a stormwater management outlot dedicated to the City with the Whitetail Ridge subdivision and otherwise surrounded on the north, west, and south by single-family residences, zoned SR-C2 (Suburban Residential–Consistent 2 District). The property across Packers Avenue is undeveloped agricultural land owned by Dane County and located in the Town of Burke.

Adopted Land Use Plans: The 2018 Comprehensive Plan recommends the subject site and surrounding properties for Low Residential (LR). The property across Packers Avenue is recommended for Employment (E) development.

The subject site is also located within the boundaries of the 2007 Cherokee Special Area Plan, which recommends the site for low-density residential uses up to 15 units per acre.

Finally, the site is located within the boundaries of the 2009 Northport-Warner Park-Sherman Neighborhood Plan, which makes no specific land use recommendations for the site.

Zoning Summary: The property will be zoned SR-C3 (Suburban Residential–Consistent 3 District).

Requirements	Required – Single-Family	Required – Two-Family	Proposed
Lot Area (sq. ft. per unit)	6,000 sq. ft.	8,000 sq. ft. Total	Both Lots Will Comply
Lot Width	50’	50’	Both Lots Will Comply
Front Yard Setback	25’	25’	Lot 1: 28.6’ | Lot 2: 28.5’
Side Yard Setback	One-story: 5’ | Two-story: 6’	6’	Both Lots Will Comply
Rear Yard	Lesser of 30% lot depth or 35’	Lesser of 30% lot depth or 35’	Existing
Maximum Lot Coverage	60%	60%	Both Lots Will Comply
Usable Open Space	750 sq. ft.	750 sq. ft. per unit	Both Lots Will Comply
Maximum Building Height	2 stories/ 35’	2 stories/ 35’	Existing
Building Forms	Single-Family Detached	Two-Family Two-Unit	Existing
Other Critical Zoning Items			
Yes:	Utility Easements		
No:	Urban Design, Floodplain, Wellhead Protection, Landmarks, Waterfront Development, Adjacent to Park		
			Prepared by: Jacob Moskowitz, Asst. Zoning Administrator

Environmental Corridor Status: The subject property is not located in a mapped environmental corridor. The adjacent stormwater management pond outlot is identified as environmental corridor.

Public Utilities and Services: The subject site is served by a full range of urban services, including water and sanitary sewer in Packers Avenue.

Project Description, Analysis & Conclusion

The applicant and property owner is requesting approval of a Certified Survey Map (CSM) to divide the 1.08-acre subject site, which contains a single-family residence and two-family two-unit residence, into two lots. In order to facilitate the land division to place each of the residences onto its own lot, the applicant is also requesting to

rezone the property from A (Agricultural District) to SR-C3 (Suburban Residential–Consistent 3 District), which is a single- and two-family residential zoning district.

Records indicate that the subject property was annexed to the City of Madison from the Town of Burke on December 16, 1991 at the same time that the land that became the adjacent Whitetail Ridge subdivision was annexed. According to City records, the split-level single-family residence at 4510 Packers Avenue on the southern portion of the parcel was constructed in 1960. The two-story, two-family residence located addressed as 4514 Packers on the northern half of the parcel was constructed in 1946. The property was assigned A (Agriculture District) [1966 Zoning Code] at the time of annexation, which was not changed when the current Zoning Code took effect in January 2013.

The two-family residence will be located on Lot 1 of the proposed CSM, which will be an approximately 75.73-foot wide, 13,853 square-foot parcel. The single-family residence will occupy proposed Lot 2, which will be 119 feet wide and 21,548 square feet in area (the areas indicated on the CSM appear to be reversed). As part of the land division, the applicant will dedicate right of way 60 feet of right of way for Packers Avenue with the CSM.

The Planning Division believes that the standards for approval for zoning map amendments and land divisions can be met with these requests. Both of the proposed lots will meet the minimum width, area, and setback requirements of the SR-C3 zoning district, and staff believes that the proposed SR-C3 zoning classification is consistent with the Low Residential and low-density residential land uses recommended for the site by the Comprehensive Plan and Cherokee Special Area Plan, respectively.

Recommendation

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00647, rezoning 4510-4514 Packers Avenue from A to SR-C3, and the two-lot Certified Survey Map of the property to the Common Council with recommendations of **approval** subject to input at the public hearing and the following conditions:

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

Planning Division (Contact Tim Parks, (608) 261-9632)

1. The Certified Survey Map shall be revised prior to final approval and recording to note the use of each of the proposed lots (i.e. Lot 1 – Two-family residence, Lot 2 – Single-family residence).

2. Revise the area of the proposed lots prior to final approval and recording.

City Engineering Division (Contact Brenda Stanley, (608) 261-9127)

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

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

4. The applicant shall dedicate the existing 33 feet of right of way along with an additional 27 feet of right of way along Packers Avenue with the CSM.

5. Grant a 5-foot wide permanent limited easement for grading and sloping along the newly dedicated 60 feet of right of way for Packers Avenue. Contact Jule Smith of Engineering Mapping (jsmith4@cityofmadison.com, (608) 264-9276) for easement language.

6. Show the existing 33 feet of right of way the property is subject to, as set forth in the County Highway Registry for the Town of Burke on Pages 56 and 70.

7. Coordinate and request from the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the final CSM.

8. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of any required U.S. public land survey monument record provided to the County Surveyor's Office, or, in instances where a public the monuments and witness ties area recovered under A-E 7.08(1g), the Surveyor shall provide to the City of Madison monument condition reports (with current tie sheet attached) for all Public Land Survey monuments, including center of sections of record, used in this survey, to Julius Smith (JSmith4@cityofmadison.com) of City Engineering, Land Information.

9. In accordance with Section s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the Certified Survey Map in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. Visit the Dane County Surveyor's Office for current tie sheets and control data that has been provided by the City of Madison.

10. Prior to Engineering Division final sign-off by main office for Certified Survey Maps, the CSM shall be submitted in PDF format by email transmittal to Engineering Land Records Coordinator Julius Smith (jsmith4@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.

11. Move the underlined text for Packers Avenue outside of the area to be "Dedicated to the Public".

12. Show the center/section line as a solid line continuous with and consistent with remainder outer/overall CSM boundary.

13. Verify the areas for Lots 1 and 2; they appear to be transposed.

14. List the Datum and Adjustment and Zone for the County Coordinates used. Example Wisconsin County Coordinates System, Dane Zone or WCCS Dane NAD 83 (91) or (97) or (2011).

15. Correct the last call in the legal description to be SW instead of SE as shown on the map.

16. The applicant shall submit to Julius Smith, 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)

17. The applicant shall dedicate 27 feet of right of way along their frontage of Packers Avenue for a total of 60 feet from the centerline.

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

This agency did not submit a response with comments or conditions for this request.

Parks Division (Contact Ann Freiwald, (608) 243-2848)

This agency did not submit a response with comments or conditions for this request.

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

This agency did not submit a response with comments or conditions for this request.

Fire Department (Contact Bill Sullivan, (608) 261-9658)

This agency did not submit a response with comments or conditions for this request.

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

The agency reviewed this project and determined a Transportation Demand Management (TDM) Plan is not required.

Office of Real Estate Services (Contact Andy Miller, (608) 261-9983)

18. Prior to approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate(s) on the CSM shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report. When possible, the executed original hard stock recordable CSM shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.

19. Prior to CSM approval sign-off, an executed and notarized or authenticated certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s). If a mortgage or other financial instrument is reported in record title, but has been satisfied or no longer encumbers the lands or ownership

within the CSM boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to CSM approval sign-off.

20. If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other Option interest, 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. Stats. Sec. 236.34 and Sec. 236.21(2)(a).

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

22. As of November 3, 2023, the 2023 real estate taxes are paid for the subject property. Per 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to CSM recording. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off.

23. As of November 3, 2023, deferred special assessments are reported on the City Assessor's records. ORES will confirm if any balance is owed prior to CSM sign-off. 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(5)(g)1.

24. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report via email to Andy Miller in the ORES (acmiller@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the initial title report, dated August 18, 2023, submitted with the CSM application and include all associated documents that have been recorded since the initial title report. A copy of the vesting deed shall be included with the updated 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.

25. Revise the CSM to correct the spelling of the "Packers Avenue" label on Sheet 1.

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80367

File ID:	80367	**File Type:**	Resolution	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	PLAN COMMISSION
				File Created Date :	10/11/2023
File Name:	Adopting an amendment to the City of Madison Comprehensive Plan.			**Final Action:**	

Title: Adopting an amendment to the City of Madison Comprehensive Plan.

Notes:

Sponsors:	Satya V. Rhodes-Conway, Derek Field And John W. Duncan	**Effective Date:**	
Attachments:	List of proposed Comp Plan revisions_2023_10-11.pdf, Draft_GFLU_Map_2023-1011.pdf, 2023_11_13 Plan Commission Memo.pdf, Institutional_Uses_on_GLFU_Map.pdf, Public Comments 9-28_11-13-23.pdf, Link to Ordinance File ID 80281	**Enactment Number:**	
Author:	Kirstie Laatsch	**Hearing Date:**	
Entered by:	klaatsch@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Department of Planning and Community and Economic Development	10/11/2023	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Plan Commission (11/13/23), Common Council (11/21/23)						
1	COMMON COUNCIL	11/07/2023	Refer	PLAN COMMISSION	11/13/2023		Pass
	Action Text: A motion was made by Currie, seconded by Figueroa Cole, to Refer to the PLAN COMMISSION. The motion passed by voice vote/other.						
1	PLAN COMMISSION	11/13/2023	RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Field, to RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - REPORT OF OFFICER. The motion passed by voice vote/other.						
	Notes: On a motion by Ald. Figueroa Cole, seconded by Ald. Field, the Plan Commission recommended approval to the Common Council of the proposed amendments to the Comprehensive Plan as outlined in the staff memo dated						

November 13, 2023 and the following additions and revisions:

- Draft text to include in the Low Residential (LR) category description October 11, /2023 version: *"Many small institutional uses, such as places of worship, are mapped as Low Residential (LR), consistent with their surroundings. If current institutions embedded in residential areas relocate, cease to exist, or remain as part of a redevelopment, such sites may be redeveloped with more intensive residential uses. Redevelopment with Low-Medium Residential (LMR) uses is appropriate. In limited circumstances, intensities and heights in the Medium Residential (MR) land use category could be appropriate for* ***the site or*** *a portion of the site. Due to site****[1]****specific considerations, MR intensities may not be appropriate for all sites. Factors to be considered include relationships between proposed buildings and their surroundings, natural features, lot and block characteristics, and access to urban services, transit, arterial streets, parks, and amenities."*

- In the new LMR escalator clause, remove language related to Area Plans as follows: ** Appropriate in select conditions at up to 70 DU/ac and four stories. ~~**except for parts of the city with an Area Plan adopted after the 2023 Comprehensive Plan Interim Update.**~~ Factors to be considered include relationships between proposed buildings and their surroundings, natural features, lot and block characteristics, and access to urban services, transit, arterial streets, parks, and amenities.

- Draft text to include in the Special Institutional (SI) category description October 11, 2023 version: *"Buildings that include places of worship, schools, and other institutions may be optimal for adaptive reuse or redevelopment with residential uses when the institutional use(s) relocate, cease to exist, or perhaps remain as part of a redevelopment. These sites are often embedded in residential areas, and are typically larger than most surrounding residential lots, making them good candidates for more intensive residential development. Redevelopment with Low-Medium Residential (LMR) uses is appropriate. In limited circumstances, intensities and heights in the Medium Residential (MR) land use category could be appropriate for* ***the site or*** *a portion of the site. Due to site-specific considerations, MR intensities may not be appropriate for all sites. Factors to be considered include relationships between proposed buildings and their surroundings, natural features, lot and block characteristics, and access to urban services, transit, arterial streets, parks, and amenities."*

- Related to the specific amendments to Generalized Future Land Use maps,
  - Application 1 - Keep as LR
  - Application 4 - Keep as Employment
  - Application 7 - Keep as Employment/Industrial
  - Application 8 - Change from Employment to MR

- Add a definition of 'community gardens' to the Comprehensive Plan.

The motion to recommend approval as amended passed by voice vote/ other. Resolution 80367 also serves as the resolution of the Plan Commission required by Wis. Stats. Sec. 66.1001(4) to adopt the Comprehensive Plan amendments.

Text of Legislative File 80367

Fiscal Note

The proposed resolution recommends adoption of the ordinance approving the amended City of Madison Comprehensive Plan. No additional appropriation required.

Title

Adopting an amendment to the City of Madison Comprehensive Plan.

Body

WHEREAS, on August 7, 2018 the City of Madison Common Council adopted a full update to the City's Comprehensive Plan, as defined in Wisconsin Comprehensive Planning Law Sec. 66.1001 Wis. Stats.; and

WHEREAS, on June 6, 2023 the Common Council authorized the Planning Division to lead an interim update to the Comprehensive Plan focused on updating the Generalized Future Land Use (GFLU) Map and formally adding a Health & Safety element; and

WHEREAS, on June 6, 2023 the Common Council adopted a public participation plan, as required by Wis. Stat. § 66.1001(4), which described how the City intended to make the process accessible to all; and

WHEREAS, the public participation process included an interactive website, a virtual meeting, emailed project updates to interested parties and neighborhood associations, distribution of informational materials, social media posts, traditional media, and several Plan Commission meetings; and

WHEREAS, since adoption of the Comprehensive Plan in August of 2018 the City of Madison has adopted or amended fourteen sub-area plans as supplements to the Comprehensive Plan and the land use recommendations from these plans are incorporated into the draft GFLU Map compiled by Planning Division staff; and

WHEREAS, at their September 7, 2023 and September 18, 2023 meetings, the Plan Commission reviewed potential changes to the GFLU Map submitted by the public and recommended further consideration of several proposed changes; and

WHEREAS, the City of Madison Comprehensive Plan fully updates the 2018 Comprehensive Plan and contains all of the required elements defined in Section 66.1001(2) of the Wisconsin Statutes; and

WHEREAS, this Interim Update serves as an update to the Housing Element of the Comprehensive Plan; and

WHEREAS, the City of Madison has held at least one public hearing on this ordinance in compliance with the requirements of Section 66.1001(4)(d) of the Wisconsin Statutes.

NOW, THEREFORE BE IT RESOLVED that as recorded in its official minutes the City of Madison Plan Commission recommends the City of Madison Common Council adopt Ordinance File ID 80281, which will constitute its adoption of the City of Madison Comprehensive Plan as the City's Comprehensive Plan under Section 66.1001 of the Wisconsin Statutes.

2023 Comprehensive Plan Interim Update

List of Proposed Revisions to the Comprehensive Plan

Revised: October 11, 2023

The City of Madison is currently working on an Interim Update of its 2018 Comprehensive Plan. The Interim Update is focused on the Generalized Future Land Use (GFLU) Map. Proposed revisions to the Comprehensive Plan are summarized below in three sections:

- Staff-recommended revisions to the GLFU Map,
- GFLU Map amendment applications from the public,
- Summary of other revisions to the Plan document.

Staff-recommended revisions to the GLFU map

1. Modify the GFLU Map to reflect planned streets and land use recommendations in plans amended or adopted after the 2018 Comprehensive Plan.
    a. Elderberry Neighborhood Development Plan (NDP) Amendment (July 2018)
    b. Pioneer NDP Amendment (July 2018)
    c. Junction NDP Amendment (July 2018)
    d. Milwaukee Street Special Area Plan (December 2018)
    e. Triangle-Monona Bay Neighborhood Plan (July 2019)
    f. Rattman NDP (July 2019)
    g. Mifflandia Neighborhood Plan (November 2019)
    h. Nelson NDP (November 2019)
    i. Oscar Mayer Special Area Plan (July 2020)
    j. East Washington Avenue Capitol Gateway Corridor Plan Amendment (October 2020, July 2021) Note: additional GFLU revisions in this plan area are also proposed to make land use consistent with height regulations in Urban Design District #8.
    k. Odana Area Plan (September 2021)
    l. South Madison Neighborhood Plan (January 2022)
    m. Greater East Towne Area Plan (February 2022)
    n. Yahara Hills NDP Amendment (May 2022)
    o. Shady Wood NDP Amendment (January 2023)
    p. Hawthorne-Truax Neighborhood Plan (March 2023)
    q. Reiner NDP (June 2023)
2. Adjust GFLU Map to reflect McFarland annexations on the far southeast side of the city.
3. Adjust GFLU Map to reflect the intergovernmental agreement with the Town of Cottage Grove to the east of the city boundary.
4. Designate City-owned parks and stormwater areas of over one acre that were not shown as Parks and Open Space as Parks and Open Space. Note: the 2018 Plan states that existing and planned parks/stormwater areas over one acre were shown, but some were missing.
5. Update areas impacted by recent approvals, such as plats (for example, the Raemisch Farm on the north side) and recent City land purchases for parks.

GFLU Map amendment applications from the public

In addition to staff administrative updates drafted as a result of previously adopted plans, the public had the opportunity to propose GFLU Map amendments. Those amendment applications are summarized here and geographically specific amendments are mapped on the interactive 2023 Draft GFLU Map. At their September 7 and September 18 meetings, Plan Commission received early public comment and provided guidance to staff about the GFLU amendments submitted by the public. The Revised Draft of the 2023 GFLU Map will be formally reviewed by the Plan Commission at a public hearing on November 13, 2023, followed by review by Common Council.

Summary of other revisions to the Plan document

In addition to the summary list of proposed revisions below, details about each revision can also be found within this **interactive markup of the Comprehensive Plan**.

Note: items that have been revised since Plan Commission reviewed them at their September 7 and September 18 meetings are highlighted in yellow.

A. Update cover of Plan to include the date amended in 2023.
B. Include a cover memo after the cover page to acknowledge implementation progress relating to major policies/initiatives sine the Comprehensive Plan was adopted in 2018. The cover memo will also briefly explain the Plan adoption and amendment history.
C. Update Plan text and diagrams throughout the document to reflect the addition of the new seventh Element, Health and Safety, which was adopted by Common Council in 2022. Add Health and Safety at the end of the Plan after Effective Government. Add Health and Safety recommendations to the table in Appendix A.
D. Update the population forecast on page 3 and modify related text elsewhere in the document (Growth Framework and Land Use and Transportation Element).
E. Update the Generalized Future Land Use (GFLU) Map.
F. Update other maps within Plan document (excluding the appendices), except for the Food Access Map on page 60 and the Tier 1 sidewalk map on page 42 (add footnote to reference Complete Green Streets Guide).
G. Update map notes on page 19 associated with the Generalized Future Land Use (GLFU) Map. Delete 2018 map notes 1, 2, 3, 15, 16, 21; modify #4 to remove reference to "house like residential 'character'" due to exclusionary connotation; modify #8 due to the Alliant Energy Center Master Plan and adopted South Madison Plan; modify #9 to reflect new Parks Division office; add three new map notes.
H. Add language under "Low Residential (LR)" on page 20 addressing redevelopment of small Special Institutional uses designated as LR. This change is being proposed to make it easier for a vacant/underutilized place of worship to redevelop all or part of the site into housing, for example.
I. Add language under "General Commercial (GC)" on page 24 to guide consideration of residential development in GC areas.
J. Add language under "Employment (E)" on top of page 25 to guide consideration of residential development in employment areas.
K. Add text within the description for Park and Open Space on page 25 to include urban agriculture and community gardens as appropriate uses.
L. Add Neighborhood Planning Area (NPA) GFLU category description which was inadvertently left out on page 25 under "Special Categories."

M. Add paragraph on page 26 to provide guidance for redevelopment of Special Institutional areas into non-institutional uses. This change is being proposed to make it easier for a vacant/underutilized place of worship to redevelop all or part of the site into housing, for example.
N. Modify Peripheral Planning Areas section (text and map) on pages 26-28 to reflect newly approved Neighborhood Development Plans (NDPs) and boundary agreements.
O. Update list of adopted plans on pages 125-126.
P. Add missing UrbanFootprint chart on page 138.

Comprehensive Plan Generalized Future Land Use Map
2023 Interim Update - October 2023 DRAFT

- Map Note
- City or Village
- Town
- Planned Street Network (2023)
- 2018-2023 Land Use Change (Staff)

Map Amendments Proposed by Members of the Public

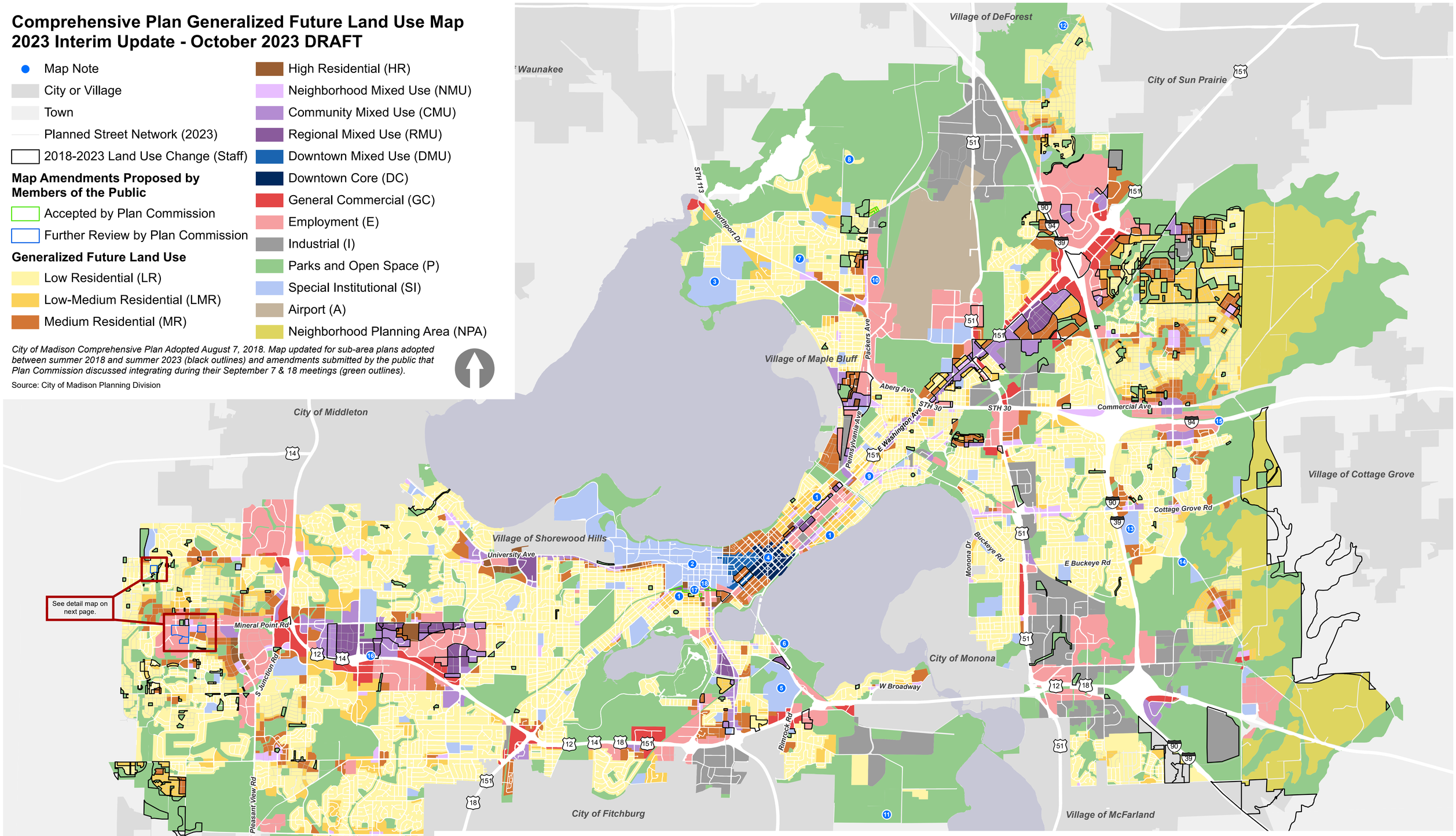
- Accepted by Plan Commission
- Further Review by Plan Commission

Generalized Future Land Use

- Low Residential (LR)
- Low-Medium Residential (LMR)
- Medium Residential (MR)
- High Residential (HR)
- Neighborhood Mixed Use (NMU)
- Community Mixed Use (CMU)
- Regional Mixed Use (RMU)
- Downtown Mixed Use (DMU)
- Downtown Core (DC)
- General Commercial (GC)
- Employment (E)
- Industrial (I)
- Parks and Open Space (P)
- Special Institutional (SI)
- Airport (A)
- Neighborhood Planning Area (NPA)

City of Madison Comprehensive Plan Adopted August 7, 2018. Map updated for sub-area plans adopted between summer 2018 and summer 2023 (black outlines) and amendments submitted by the public that Plan Commission discussed integrating during their September 7 & 18 meetings (green outlines).

Source: City of Madison Planning Division

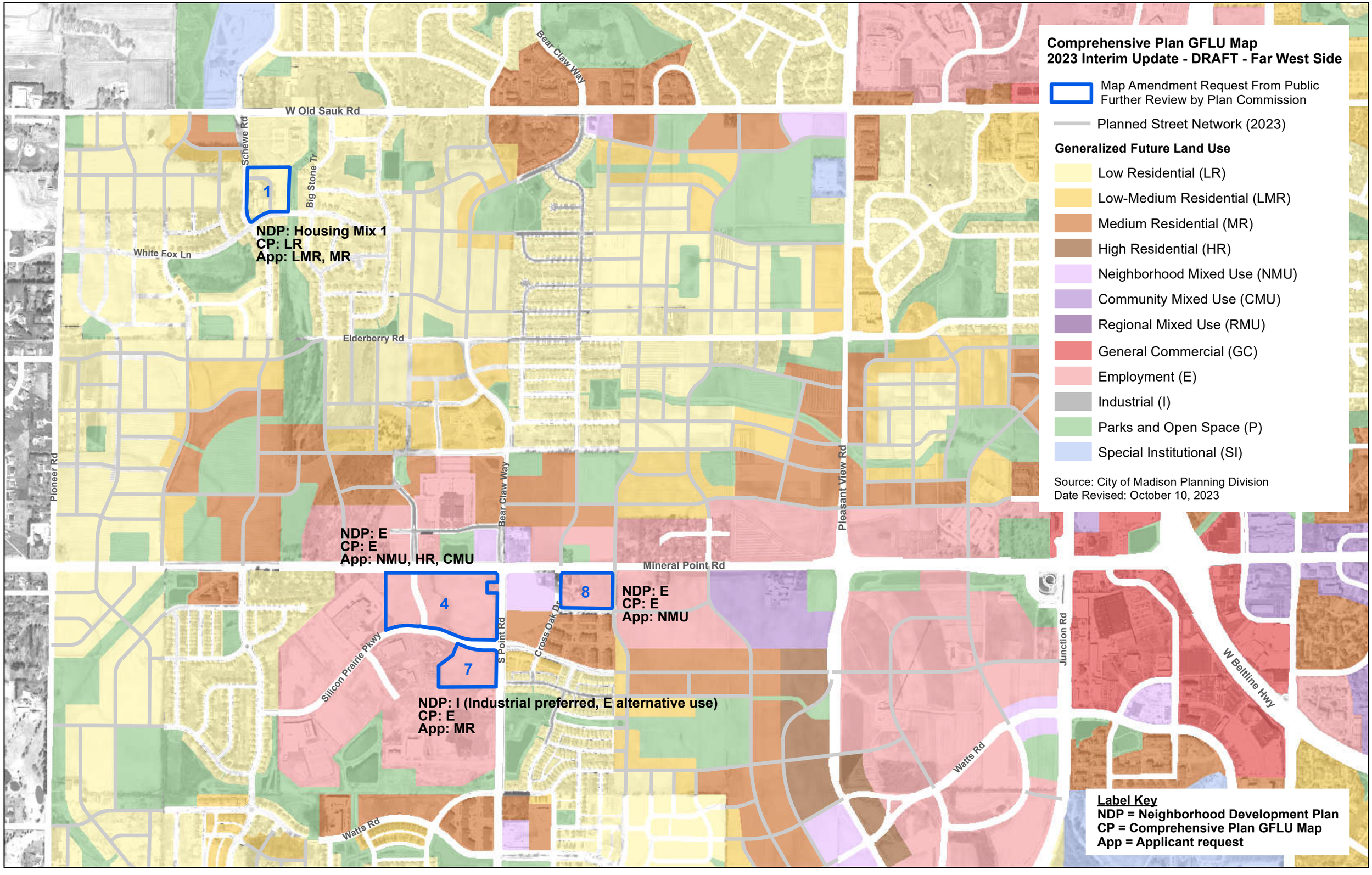


Draft Revised Map Notes

1. Any redevelopment within this LMR area should generally add to the City's Missing Middle housing stock while maintaining the current single-family/ two-flat/three-flat development rhythm.
2. The University of Wisconsin-Madison Campus Master Plan provides detailed land use and development recommendations for the UW-Madison. That document was approved by the City in 2017 as part of the requirements for the UW-Madison's Campus-Institutional Zoning. All UW-Madison development within the campus boundary must be consistent with the Campus Master Plan unless an exception or alteration is approved by the City, consistent with applicable regulations, procedures, and standards. The Comprehensive Plan's SI designation for the UW-Madison campus is primarily to address the UW's use of property. However, there are some privately owned properties within the SI-designated areas. If such privately owned parcels redevelop, their use and design should be consistent with adopted sub-area plans, the most relevant of which, as of the adoption of this Plan, is the Regent Street-South Campus Neighborhood Plan. In the rare case where private redevelopment is proposed for an area that is not covered by a sub-area plan, multifamily residential and mixed-use development shall be considered appropriate, so long as the scale, massing, and design of the building fits in with the surrounding context, as determined by the Plan Commission and City Council.
3. This property is currently the site of the State of Wisconsin Mendota Mental Health Institute. A detailed development plan for the property should be prepared and adopted by the City prior to any redevelopment to new uses. Land along Lake Mendota is recommended for public park and open space.
4. Refer to the Downtown Plan for the area bounded by the lakes, Blair Street, Regent/Proudfit Streets, and Park Street for viewshed preservation, mix of land uses, building design standards (including heights and stepbacks/setbacks), streetscape design, and other land use and design elements. Note that residential uses shown in this area should be considered "primarily residential," as defined in the Downtown Plan.
5. The Alliant Energy Center is shown as SI, but may include restaurant, entertainment, and hotel uses if a Master Plan for the area that includes those uses is adopted by the City. Such a Plan may include land use changes to surrounding properties, such as the Employment-designated properties to the north.
6. The existing residential uses may continue until an opportunity arises to convert this area to public park and open space. The existing uses should not be expanded and the land should not be redeveloped.
7. This former sanitarium site is presently owned by Dane County and used as an office building. Adaptive reuse of the existing buildings for employment, residential, or a mix of those uses is recommended if this site is redeveloped. The open area south of the buildings should remain undeveloped and any reuse of the site should be designed to preserve and enhance the views from the site to Lake Mendota and the Isthmus. The wooded portion of the site north of the buildings should be maintained as open space.
8. It is recommended that there be no additional development on the top portion of this hill. Future development may be allowed around the lower portions of this hill only if such development is done with sensitivity to the topography in a manner that preserves open space and views to the hill from surrounding properties and provides adequate vegetative buffers from the existing park property.
9. The City may consider buildings taller than four stories in this contiguous NMU area for large parking lots/ vacant areas.
10. It is not recommended that the mobile home park that currently occupies this area cease operations, but employment is the most appropriate future use of the property if the property owner does close the park.
11. Land in this area is part of the Town of Blooming Grove and will be attached to the City before November 1, 2027. This land should either continue in its current agricultural use or be incorporated into the adjacent Capital Springs State Recreation Area.
12. A portion of this area may have the potential for limited development as a conservation subdivision.
13. The majority of this site is undeveloped - a detailed plan for any change in the site's current use should be approved by the City prior to consideration of any rezoning request.
14. If restoring the high ground east of Underdahl Road to open space is not feasible this area should transition to residential development.
15. An Interstate interchange in this general location would help implement higher intensity employment and mixed use land uses planned for this area.
16. Property solely accessed from Grand Canyon Drive and/or West Platte Drive south of Odana Road should not be redeveloped with residential uses until redevelopment of properties accessed from Odana Road occurs in a manner that increases access and visibility.
17. Buildings may be considered up to two stories taller than the maximum height in the Regent Street-South Campus Neighborhood Plan for property designated as mixed-use along the north side of Regent Street, mixed-use along the south side of Regent Street between Randall Street and Mills Street, Employment at the southeast and southwest corners of the Regent Street and Park Street intersection, and Special Institutional along Monroe Street between Regent Street and Randall Avenue.
18. Buildings up to 10 stories tall may be considered in High Residential (HR) areas south of Spring Street that overlap the Regent Street-South Campus Neighborhood Plan and up to 12 stories tall in HR areas north of Spring Street that overlap the Regent Street-South Campus Neighborhood Plan.

Blue text = map notes drafted at the direction of the Plan Commission after its September 18, 2023 meeting.

Date: 10/25/2023


Comprehensive Plan GFLU Map
2023 Interim Update - DRAFT - Far West Side
Map Amendment Request From Public Further Review by Plan Commission
Planned Street Network (2023)
Generalized Future Land Use
Low Residential (LR)
Low-Medium Residential (LMR)
Medium Residential (MR)
High Residential (HR)
Neighborhood Mixed Use (NMU)
Community Mixed Use (CMU)
Regional Mixed Use (RMU)
General Commercial (GC)
Employment (E)
Industrial (I)
Parks and Open Space (P)
Special Institutional (SI)
Source: City of Madison Planning Division
Date Revised: October 10, 2023
W Old Sauk Rd
Bear Claw Way
Schewe Rd
Big Stone Tr
1
NDP: Housing Mix 1
CP: LR
App: LMR, MR
White Fox Ln
Elderberry Rd
Pioneer Rd
Bear Claw Way
Pleasant View Rd
NDP: E
CP: E
App: NMU, HR, CMU
Mineral Point Rd
4
8
NDP: E
CP: E
App: NMU
S Point Rd
Cross Oak Dr
Silicon Prairie Pkwy
7
NDP: I (Industrial preferred, E alternative use)
CP: E
App: MR
Junction Rd
W Beltline Hwy
Watts Rd
Watts Rd
Label Key
NDP = Neighborhood Development Plan
CP = Comprehensive Plan GFLU Map
App = Applicant request

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Planning Division
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November 13, 2023
To: Plan Commission
From: Kirstie Laatsch and Ben Zellers (Planning Division)
RE: 2023 Comprehensive Plan Interim Update

The City is undertaking an interim update to the 2018 Comprehensive Plan. Most updates are within the Growth Framework section of the Plan, including the Generalized Future Land Use (GFLU) Map, associated map notes, and land use category descriptions. This process is similar to an interim update that was completed in 2012.

After receiving initial direction from Plan Commission at their September 7 and September 18 meetings staff compiled a revised draft of the 2023 GFLU Map and a revised list of draft revisions to the Comprehensive Plan. Plan Commission's November 13, 2023 meeting will include a public hearing and formal recommendation to Common Council concerning the final draft Comprehensive Plan amendment.

The materials which have been revised since Plan Commission's review in September are highlighted in yellow in the compiled List of Proposed Revisions to the Comprehensive Plan.

The remaining topics for discussion include:

1. **Two new GFLU Map Notes added in response to Plan Commission direction.** At their September 18 meeting, Plan Commission directed staff to draft additional Map Notes to consider buildings that are taller than the maximum building heights recommended in the Regent Street - South Campus Neighborhood Plan.

2. **Revised language relating to redevelopment of institutional uses – changes to the land use category text for Special Institutional (SI) and Low Residential (LR).** These two changes are proposed as part of this interim update to the Comprehensive Plan to make it easier for sites with vacant/underutilized institutional uses (such as places of worship) to be fully or partially redeveloped with housing. Plan Commission's direction was for staff to make the SI category description more flexible to allow consideration of redevelopment denser than Low-Medium Residential (LMR) when a site is adjacent to Parks and Open Space. For reference, the table describing the building forms, density ranges, and number of stories for the residential categories is included on page 3 of this memo.

   Staff has prepared maps of non-governmental institutional uses mapped as SI and small institutional uses mapped as LR (see Institutional Uses on the GFLU Map attachment). The mapping analysis shows that approximately 80 institutional uses are currently mapped as LR, which is typical for many civic uses. Of those sites, 80% are less than 3 acres in size. Approximately 30 non-governmental institutional uses – usually on larger properties – are currently mapped as SI.

   Following this closer look at the relevant sites, staff raises the following tradeoffs/considerations for the Plan Commission to keep in mind when determining the language to open up possibilities for Medium Residential (MR) densities if (re)development is considered on these sites:
   a. *Potential loss of opportunity for future missing middle housing development*. If language is changed to broadly allow MR, it is unlikely that LMR (missing middle) redevelopment will be proposed. Staff

anticipates that instead of considering redevelopment with townhomes and/or small multifamily buildings, many developers and institutional partners may initially assume development intensities at the upper end of the MR range.

b. *Reduced predictability*. Adding broad possibilities for MR would make it less clear to all parties, including property owners, developers, residents, and other stakeholders, what scale of development is considered appropriate for a given site.
c. *Less transparency*. A shift from LR to MR intensities is a considerable change, and likely one best addressed through an Area Plan process[1]. While comfortable with the incremental increase from LR to LMR intensities citywide for these institutional sites, staff has some concern regarding a broader "boost" from LR to MR, particularly since the surrounding context can vary so much among the 110+ relevant sites.

The previously proposed (9/1/2023) language and revised (10/11/2023) language relating to redevelopment of institutional uses is below. Staff are most comfortable with the revised (10/11/2023) language, which provides more guidance regarding the factors the Plan Commission should consider to determine the instances where MR, rather than LMR intensities may be appropriate.

Draft text to include in the LR category description

- 10/11/2023 version: "Many small institutional uses, such as places of worship, are mapped as Low Residential (LR), consistent with their surroundings. If current institutions embedded in residential areas relocate, cease to exist, or remain as part of a redevelopment, such sites may be redeveloped with more intensive residential uses. Redevelopment with Low-Medium Residential (LMR) uses is appropriate. In limited circumstances, intensities and heights in the Medium Residential (MR) land use category could be appropriate for a portion of the site. Due to site-specific considerations, MR intensities may not be appropriate for all sites. Factors to be considered include relationships between proposed buildings and their surroundings, natural features, lot and block characteristics, and access to urban services, transit, arterial streets, parks, and amenities."

- 9/01/2023 version: "Many small institutional uses, such as places of worship, are mapped as LR. If current institutions that are embedded in residential areas cease to exist or would otherwise remain as part of a redevelopment, such sites may be redeveloped as Low-Medium Residential uses when surrounded by LR and/or Parks and Open Space (P) planned uses. Institutional sites along arterial streets or that are adjacent to areas mapped for other residential, commercial, employment, or mixed-use uses on the GFLU map could be considered for intensities and heights consistent with the Medium Residential (MR) land use category."

Draft text to include in the SI category description

- 10/11/2023 version: "Buildings that include places of worship, schools, and other institutions may be optimal for adaptive reuse or redevelopment with residential uses when the institutional use(s) relocate, cease to exist, or perhaps remain as part of a redevelopment. These sites are often embedded in residential areas, and are typically larger than most surrounding residential lots, making them good candidates for more intensive residential development. Redevelopment with Low-Medium Residential (LMR) uses is appropriate. In limited circumstances, intensities and heights in the Medium Residential (MR) land use category could be appropriate for a portion of

[1] Note that the City will review institutional uses mapped as SI and LR through the Area Plan processes – language in the Comprehensive Plan concerning redevelopment of non-governmental institutional uses in SI and LR areas is a stopgap. Future land uses will be recommended in Area Plans in the event that the institutional uses leave. Revising land use recommendations through the Area Plans will be the most clear and transparent approach to address this issue. For example, the West Area Plan team has reviewed all SI sites and institutional uses mapped as LR. The results of this review include recommending MR for many of the applicable LR sites located along arterial streets, which is an important aspect when determining whether MR could be considered appropriate. Staff is able to get in-depth feedback from residents and other stakeholders about potential land use changes through the area planning process.

the site. Due to site-specific considerations, MR intensities may not be appropriate for all sites. Factors to be considered include relationships between proposed buildings and their surroundings, natural features, lot and block characteristics, and access to urban services, transit, arterial streets, parks, and amenities."

- 09/01/2023 version: "Buildings that include places of worship, schools, and other institutions may be optimal for adaptive reuse or redevelopment with residential uses, either when the institutional use(s) vacate the site or perhaps remain as part of a new development. These sites are often embedded in residential areas, and are typically larger than most surrounding residential lots, making them good candidates for larger and/or more intensive residential development. Redevelopment sites entirely surrounded by parcels mapped as Low Residential (LR) and/or Parks and Open Space (P) on the Generalized Future Land Use Map (GFLU) may be considered to be recommended for Low Medium Residential (LMR). SI sites bordered by other residential, commercial/employment, or mixed-use areas on the GFLU map that are along arterial streets or streets with transit service every 30 minutes or less could be considered for intensities and heights consistent with the Medium Residential (MR) land use category when such sites have adequate access to residential-supporting features such as parks, schools, and a walkable street network."

3. **Revised language for the provision for increased intensity relating to LMR.** As staff worked on revising draft language in item 2 above, it was discussed that there is similar ambiguity for the LMR text under the Residential Future Land Use Categories table. See the highlighted text in the table below from page 20 of the Plan. Staff would like to provide more predictability for all stakeholders.

Residential Future Land Use Categories

Residential Building Form	Low Residential (LR)	Low-Medium Residential (LMR)	Medium Residential (MR)	High Residential (HR)
Single-Family Detached Building				
Civic/Institutional Building				
Two-Family, Two-Unit				
Two-Family – Twin				
Three-Unit Building	*			
Single-Family Attached	*			
Small Multifamily Building	*	**		
Large Multifamily Building		**		
Courtyard Multifamily Building		**		
Podium Building				
Number of Stories	1-2'	1-3	2-5	4-12~
General Density Range (DU/acre)	≤15	7-30	20-90	70+

** Permitted in select conditions at up to 30 DU/ac and three stories, generally along arterial streets or where these* types of buildings are already present or planned within an adopted sub-area plan as part of a pattern of mixed residential development.

*** Permitted in select conditions at up to 70 DU/ac and four stories, generally along arterial streets.*

~ Or taller, if specified by an approved sub-area plan or PD zoning.

' Dormers or partial third floors are permitted.

Staff recommends replacing the highlighted language above, with the red text below, which cites factors the City will use to determine instances where 70 DU/acre and four stores may be appropriate. The final sentence is the same language proposed regarding redevelopment of institutional sites (10/11/2023 version).

** Appropriate ~~Permitted~~ in select conditions at up to 70 DU/ac and four stories, ~~generally along arterial streets.~~ except for parts of the city with an Area Plan adopted after the 2023 Comprehensive Plan Interim Update. Factors to be considered include relationships between proposed buildings and their surroundings, natural features, lot and block characteristics, and access to urban services, transit, arterial streets, parks, and amenities.

Along with revising the text, the City will review LMR sites through the Area Plan processes and select either LMR or MR for each site. As a result, the provision for increased intensity for LMR will no longer apply to areas with an Area Plan adopted after the 2023 Comprehensive Plan Interim Update.

4. GFLU Map amendments **proposed by the public that Plan Commission set aside for further discussion at the November 13 public hearing (Applications 1, 4, 7, and 8).** The sites are shown on a Far West Side detail map and described below:

    a. **Application 1**: Located at 3978 Schewe Road, just south of Old Sauk Road. **Staff recommends no change to GFLU Map, or at most, a change from LR to LMR:**
        i. Site is recommended for LR on the GFLU Map which reflects the Housing Mix 1 recommendation in the Elderberry Neighborhood Development Plan (NDP). Housing Mix 1 recommends single-family, two-units, four-units, and townhouses. The applicant requested a change from LR to LMR and MR.
        ii. The City was aware of the factors cited in the application when the Elderberry NDP was drafted, including the Middleton Cross Plains Elementary and Middle schools and the Eagle Trace subdivision.
        iii. Staff does not recommend changing this site to MR when the Elderberry NDP was updated five years ago. If Plan Commission would like to make a change for this site, LMR would be more appropriate, given the location near Madison's edge.

    b. Applications 4, 7, 8: Located near Mineral Point Road at South Point Road.
        i. **Application 4 – Staff recommends no change to GFLU Map**:
            1. Site is recommended for Employment (E) on the GFLU Map, which reflects the Employment recommendation in the Pioneer NDP. The applicant requested a change to Neighborhood Mixed-Use (NMU), High Residential (HR), and Community Mixed-Use (CMU).
            2. The City has an interest in maintaining well-located land for future employment development. Strategy 2 in the Comprehensive Plan's Economy and Opportunity element is "Ensure an adequate supply of sites for a wide variety of employers to operate and grow." Action 2a is "Reserve sites for employment uses in City land use plans."
            3. This site is within the Silicon Prairie business park. Its location at the intersection of South Point Road and Mineral Point Road with convenient access to the Beltline makes it a priority location to reserve for employment use.
            4. Staff's opinion is that conditions have not sufficiently changed to warrant this amendment when the Pioneer NDP was updated five years ago.

        ii. **Application 7 – Staff Recommends no change to GFLU Map**:
            1. Site is recommended for Employment (E) on the GFLU Map and is shown for Industrial (I) with E as an alternative use in the Pioneer NDP. The applicant requested a change to MR.
            2. When the applicant requested MR for this site during the 2018 Pioneer NDP update, the Plan Commission disagreed and instead stipulated an Employment overlay district for this area, stating if industrial development was not feasible, the site should develop as Employment.
            3. See point 2 under application 4 above.

4. City is developing adjoining land to the south into a public works campus, which is not compatible with MR.
5. Staff's opinion is that conditions have not sufficiently changed to warrant this amendment when the Pioneer NDP was updated five years ago and that allowing MR on the site would likely generate conflicts with the City's developing public works campus.

iii. **Application 8 – Staff recommends no change to GFLU Map or potentially a change from E to MR**:

1. Site is recommended for Employment (E) on the GFLU Map and E in the Pioneer NDP. The applicant requested a change to NMU.
2. See point 2 under application 4 above.
3. In 2013 the City adopted an NDP amendment for the area south of application 8. This amendment changed the recommendation from employment to multi-family residential, which was later built. The 2018 Pioneer NDP then further shrunk the recommended employment area.
4. Staff's opinion is that conditions have not sufficiently changed to warrant this amendment when the Pioneer NDP was updated five years ago. If Plan Commission would like to make a change for this site, MR could potentially be more appropriate than NMU.

Attachments/materials

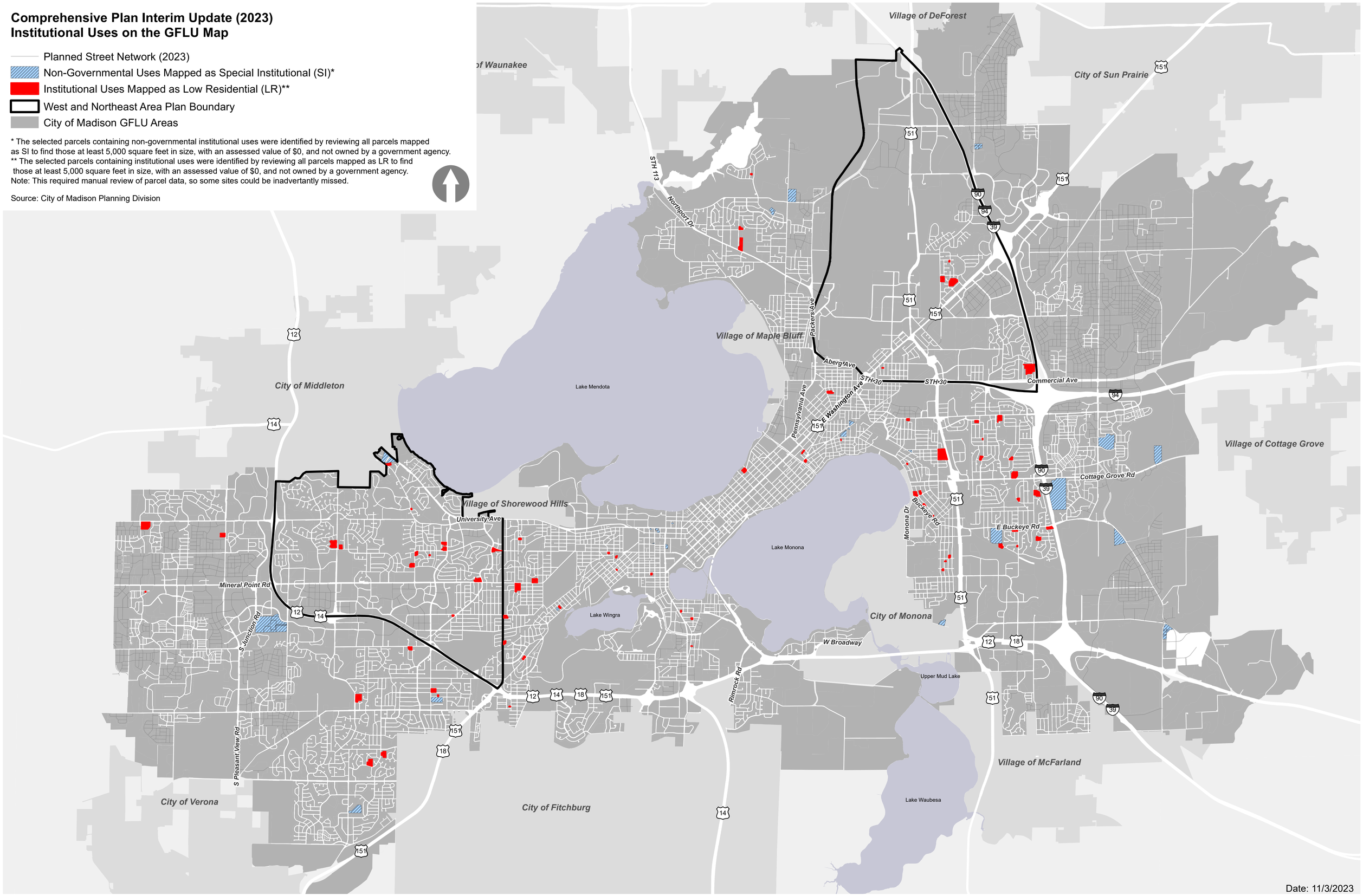
- List of Proposed Revisions to the Comprehensive Plan
- 2023 Draft GFLU Map, detailed map of far west side sites
- Interactive 2023 Draft GFLU Map
- Link to interactive, detailed-markup of Comprehensive Plan
- Institutional Uses on the GFLU Map

Comprehensive Plan Interim Update (2023)
Institutional Uses on the GFLU Map

- Planned Street Network (2023)
- Non-Governmental Uses Mapped as Special Institutional (SI)*
- Institutional Uses Mapped as Low Residential (LR)**
- West and Northeast Area Plan Boundary
- City of Madison GFLU Areas

* The selected parcels containing non-governmental institutional uses were identified by reviewing all parcels mapped as SI to find those at least 5,000 square feet in size, with an assessed value of $0, and not owned by a government agency.
** The selected parcels containing institutional uses were identified by reviewing all parcels mapped as LR to find those at least 5,000 square feet in size, with an assessed value of $0, and not owned by a government agency.
Note: This required manual review of parcel data, so some sites could be inadvertantly missed.

Source: City of Madison Planning Division



Comprehensive Plan Interim Update (2023)
Institutional Uses on the GFLU Map

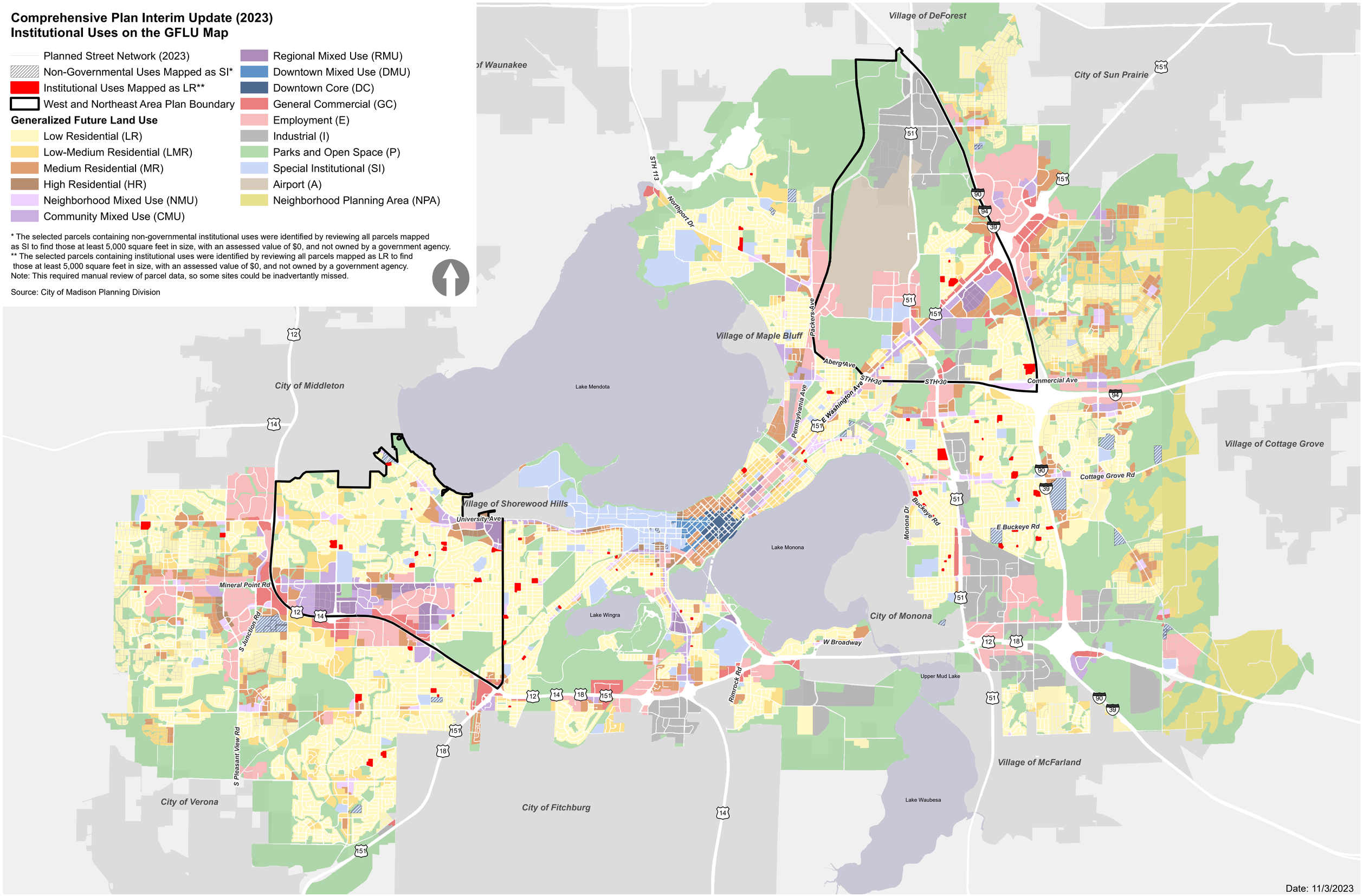
- Planned Street Network (2023)
- Non-Governmental Uses Mapped as SI*
- Institutional Uses Mapped as LR**
- West and Northeast Area Plan Boundary

Generalized Future Land Use

- Low Residential (LR)
- Low-Medium Residential (LMR)
- Medium Residential (MR)
- High Residential (HR)
- Neighborhood Mixed Use (NMU)
- Community Mixed Use (CMU)
- Regional Mixed Use (RMU)
- Downtown Mixed Use (DMU)
- Downtown Core (DC)
- General Commercial (GC)
- Employment (E)
- Industrial (I)
- Parks and Open Space (P)
- Special Institutional (SI)
- Airport (A)
- Neighborhood Planning Area (NPA)

* The selected parcels containing non-governmental institutional uses were identified by reviewing all parcels mapped as SI to find those at least 5,000 square feet in size, with an assessed value of $0, and not owned by a government agency.
** The selected parcels containing institutional uses were identified by reviewing all parcels mapped as LR to find those at least 5,000 square feet in size, with an assessed value of $0, and not owned by a government agency.
Note: This required manual review of parcel data, so some sites could be inadvertantly missed.

Source: City of Madison Planning Division



Date: 11/3/2023

From: Jessica Wartenweiler
To: Plan Commission Comments; council
Subject: Do not down zone development along arterial roads
Date: Monday, November 13, 2023 3:01:27 PM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Greetings,
I'm writing to express my opposition to the Future Land Use map amendment targeting density reduction of low-medium residential along arterial roads. As the mayor was quoted at a recent forum, the housing crisis is the biggest issue facing our region currently. The proposed limitation on building much needed housing units only exacerbates this issue and drives up the cost of housing.
Jessica Wartenweiler

From: Eric Welch
To: Plan Commission Comments
Subject: Items 26 and 27 on the agenda, which involve amendments to the City Comprehensive Plan
Date: Monday, November 13, 2023 3:00:52 PM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

I oppose the amendment as it will decrease the amount of housing available for residents and worsen the housing crisis.

Thanks,
Eric

--
Eric Welch Painting
608-770-4020
ericwelchpainting.com

From: the-greens31@charter.net
To: Plan Commission Comments
Cc: Slack, Kristen
Subject: Comment for Plan Commission 11-13-23 Meeting
Date: Monday, November 13, 2023 2:57:27 PM

Members of the Plan Commission:

It has come to our attention that there is an issue that could come up during the Plan Commission meeting tonight. We want to express our serious objections to the Commission acting on this. It involves an LMR escalator clause. We respectfully request that the Commission avoid any action regarding that LMR escalator clause until there has been an opportunity for meaningful citizen input. Please table any proposed LMR escalator language modifications at your meeting tonight.

This clause can have serious ramifications for the appropriate development of property in an area. It is not an issue that should be taken lightly. In particular, we are concerned about the negative impact it would have on the West Side Plan. It causes the potential loss of housing options that would positively impact the housing needs of Madison residents while respecting the integrity of existing neighborhoods.

Please do not take action at your meeting tonight on any proposed LMR escalator language modifications. Any action in this regard deserves serious consideration and time for meaningful citizen input. Our City and it's residents deserve this from our policymakers. Thank you for your attention to this critical issue!

Mike and Lynn Green
District 19 residents

From: Kathy Western
To: Plan Commission Comments
Cc: Slack, Kristen
Subject: Plan Commission, Comments
Date: Monday, November 13, 2023 2:02:16 PM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Plan Commission Members,

As you focus on addressing an issue realize the possibilities of detrimental consequences that could be far reaching. Thoughtful, wise guiding of Madison into the future while retaining the characteristics that maintain a Quality of Life worth living, for all ages and abilities is imperative. A quick feel-good fix isn't necessarily the right solution for longterm livability of an area.

No one has ever suggested the health benefits of spending time in or living near densely populated, high-rises blocking the sun and sky, atop expanses of concrete near heavy traffic…no one. With our serious mental health crisis and a serious shortage of mental health professionals, we have far too many people suffering with anxiety, depression and other mental health conditions that can cause anger, aggressive behaviors and increased crime. Our suicide rate is tragic. As they try to calm their insides with prescription meds, and self-medicating with alcohol and other drugs; the stress and chaos in their environment only add to their challenges. Children are not immune; we are raising a community of anxious and depressed children, replicating what we are seeing nationwide. According to Mayo Clinic there are Drs. writing "park prescriptions"; the Japanese promote shinrin-yoku, " bathing in the forest atmosphere" to boost health and lower stress. According to the National Park Services, it has been shown that being in nature reduces stress, anger, anxiety and depression, while promoting a sense of well-being and fulfillment.

Children in densely populated high-rises next to high traffic areas with concrete parking lots and massive underground parking with many moving vehicles bring a constant danger to their wellbeing. They have no control over their environment. Where will they play…ride their bikes…breathe?

Please take the time to plan carefully, quality of life is not to be taken lightly.

Sincerely,
Kathy Western
25 St. Andrews Circle
Madison, WI

Sent from my iPad

"Above all, the city and its committees should respect the wishes of neighborhoods in the planning process and not simply roll over them like an armored vehicle. Begin and end with neighborhoods, not committees. online participant." Comprehensive Plan p. 50

My name is Diane Sorensen. I appreciate this opportunity to share my views with the Plan Commission. Numerous people have told that the scenario described by the anonymous online participant has come true: in its haste to build more and more housing, the City and its Committees are simply rolling over neighborhoods like an armored vehicle. I am, nevertheless, here to speak. I hope to prove them all wrong.

I live in Parkwood Hills, near Old Sauk Road, where there are two parcels that can be developed. Though these parcels are currently zoned SR-C1 and SR-C3, or Low Residential Use, as is surrounding property, I've always expected them to be developed to a higher density.. When I saw that the City's future land use plan put this land in the LMR category this made sense. LMR development would allow the construction of housing that would fill a longstanding housing need referred to as the Missing Middle gap. What I didn't see coming was the use of the "escalator" the allows the construction of massive 4 story apartment complexes..

As shocking as this is, City planners have made it clear that this is exactly what the City plans to allow and we should expect the properties to be re-zoned accordingly.

I think this is a wrong strategy and a wrong result. As I stated earlier, I support development of this property. It is the perfect place for building housing units that fit the "Missing Middle" gap. As noted in the recent WSJ coverage of the Bayview's new townhouses, Missing Middle housing gives individuals and families, young and old, a precious and unique opportunity to put down roots, nest securely and join in the neighborhood experience.

As the planning memo before the Commission today makes clear, there is an inverse relationship between Medium residential density and Missing Middle development.

" …, staff raises the following tradeoffs/considerations for the Plan Commission to keep in mind when determining the language to open up possibilities for Medium Residential (MR) densities if (re)development is considered on these sites:

a. Potential loss of opportunity for future missing middle housing development. If language is changed to broadly allow MR, it is unlikely that LMR (missing middle) redevelopment will be proposed. Staff anticipates that instead of considering redevelopment with townhomes and/or small multifamily buildings, many developers and institutional partners may initially assume development intensities at the upper end of the MR range."

Statement to the Plan Commission

The Commission should think long and hard before it gives up an opportunity to foster Missing Middle housing. If the City is serious about filling the Missing Middle gap, it will foster such development by designating appropriate parcels LR and LMR.

I am asking the Plan Commission to slow down enough to consider using this opportunity to support Missing Middle housing. I am also asking the Commission to give me and my neighbors an opportunity to participate meaningfully on this issue.

I request the following Commission Action.

1. Defer all action involving the LMR escalator until the West Side Plan is presented in January.
2. Direct that West Side planning staff hold meetings seeking resident and stakeholder input on the plan, with particular attention to parcels considered for LMR and the escalator or MR.
3. Alternatively, defer any action on the language defining “select conditions” until residents and stakeholders have a meaningful opportunity for input.

Thank you,

Diane Sorensen

From: Matthew Aro
To: Plan Commission Comments
Subject: GFLU map amendment comment (#42 1100 Regent block south)
Date: Monday, November 13, 2023 10:54:06 AM
Attachments: 1100 Regent South CMU info.pdf

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Plan Commission members,

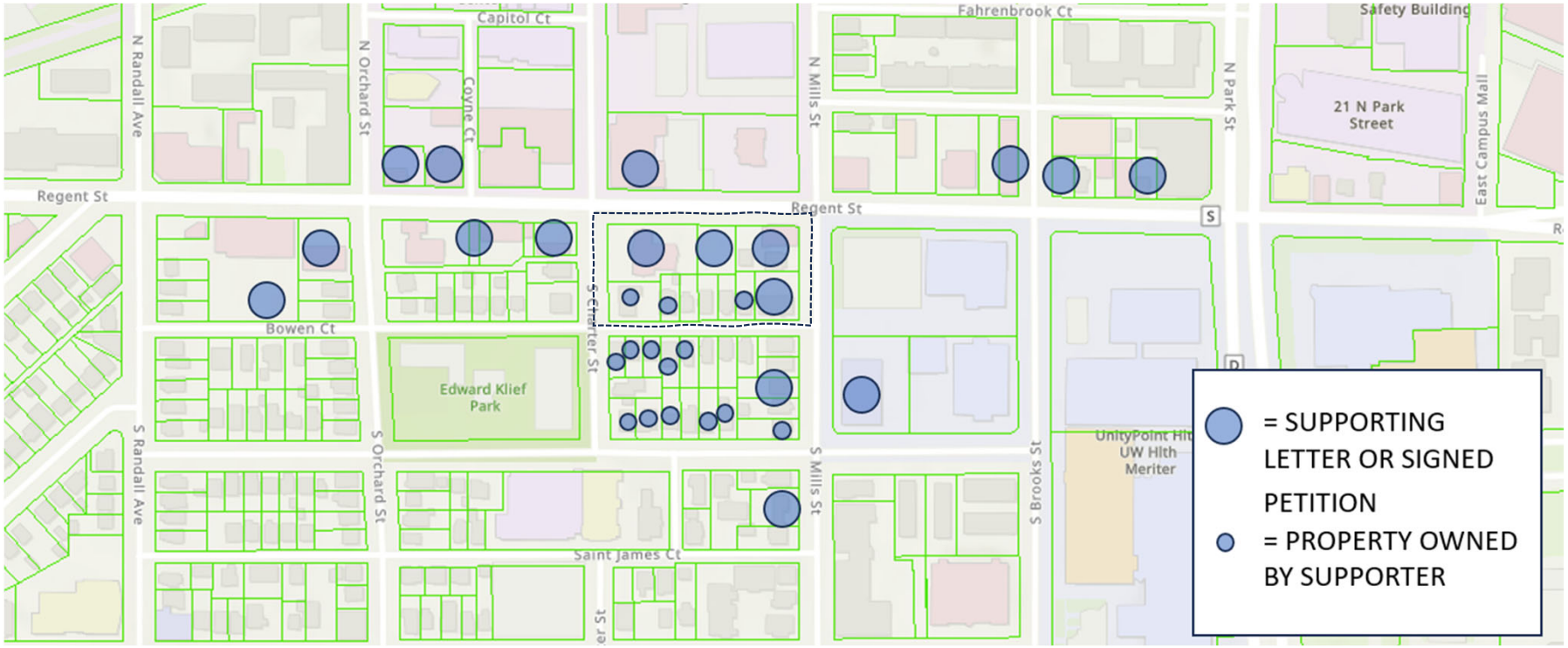
We believe an application we submitted to amend the GFLU map of the Comp Plan on behalf of the owners on the 1100 block of Regent (south) has not been fully considered by the Plan Commission to this date. This application was not part of the DMI application, although we support their efforts to increase housing in the area. The request is to convert the entire 1100 block south to Community Mixed Use. Thus far, the 1100 block was lumped in with other south Regent blocks and as we understand it, only the north half has been green-lighted for CMU. We ask that this item be reconsidered at the meeting tonight, and that the PC extend the CMU map change to the entire 1100 block.

The owners on the block in question support this change, and due to higher density allowed directly to the east, along with approval of the Neighborhood House site going to CMU to support up to 6 stories, we believe it has been overlooked that the 1100 block should be fully CMU to help guide future land use decisions. Additionally, the owners of 2-8 S Mills (Hong Kong Café) have sought out support from the neighborhood, area businesses, and city residents for this change. Attached you will find supporting letters and information they have collected.

If you were inclined, we ask that you reopen this item and fully consider making the entire 1100 Regent south block CMU. This will support additional flexibility for housing and other uses, while preserving options for what would be an eventual rezoning of this land. Thank you for your consideration of this amendment.

Best regards,

Matt Aro
ARCHITECT / PRINCIPAL
608 204-7464 Office
608 220-2382 Mobile
ARO EBERLE ARCHITECTS
433 W. Washington Ave, Suite 400, Madison, WI 53703
www.aroeberle.com

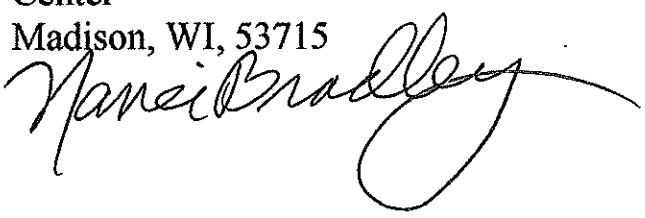


SUPPORTERS OF CHANGING ENTIRE 1100 SOUTH BLOCK TO “CMU”

October 31, 2023

To Whom it May Concern at the City of Madison,
I have owned the home at 108 South Mills Street since 1990. I believe I am the closest homeowner to the Hong Kong Café. They opened in 1991 and have been a strong asset to the community, supporting the neighborhood and Neighborhood House for many years.
The zoning issue is odd to me. The Hong Kong Café should be allowed the same height and density as Daivs Duehr or McDonalds. Terry and the Leung family have been outstanding neighbors. They work with the rental homes around them to make sure they address any concerns before the become problems and have the support of those neighbors. The management of the restaurant and activities on football Saturdays is exemplary. It makes no sense that the density and/or height allowed is different than neighboring locations on the busy throughfare of Regent Street. It is not equitable that it would be different. Certainly times have changed since the original Regent Street plan was developed. I hope you will support changes that reflect housing realities and equity in your decision making.
Sincerely,

Nanci Bradley
108 S. Mills Street—Nanci Bradley Early Childhood Education Center
Madison, WI, 53715



July 27, 2023

RE: Hong Kong Café, Rezoning at Higher Density than previous Neighborhood Plan

To Whom it may concern,

As a past participant in the Regent Street Master Plan and as a (long ago) former Common Council member, I am in support of higher density than the old plan recommended in approximately 2006. I support 6-8 stories at both the Neighborhood House and HK Café site. I do think affordability and net zero emissions could be threaded into quality projects at these sites and that it is equitable to allow similar densities as the Davis Duehr/Dean, MacDonalds and other neighborhood sites. There have been drastically changing dynamics that inform our current situation. What has not changed is the commitment to a strong neighborhood that both the small business of the Hong Kong Café and Neighborhood House has always shown in their work and collaboration to address neighborhood problems and concerns. What is also unique is the relative lack of homeowners in proximity to these facilities.

Although I am very familiar with nearest neighborhood homeowner and know her support for both of these neighborhood institutions.

I do think additional density comes with additional responsibilities. Those trade offs are in responsive property management and maintenance with a plan to address problems as they are arising, affordability in at least some of the additional allowed square footage, and an environment design for an increasingly ravaged planet.

I hope you will makes changes and recommendations with these elements in mind.

Sincerely,

Andy Heidt
608-622-5585;

CC: Terry Leung, Hong Kong Café
Tag Evers, District 13 Common Council (can you please share this with Madison's oldest community center?)

Neighborhood House Community Center
29 S. Mills St. · Madison WI 53715
neighborhoodhousemadison.org
Madison's first and oldest community center
Est. 1893

Laura Gundlach, Executive Director
Neighborhood House Community Center
29 S. Mills St.
Madison WI 53175

July 27, 2023

I am writing to express the wholehearted support of Neighborhood House Community Center for the zoning change of 2 S. Mills Street from its existing designation of Neighborhood Mixed Use to Community Mixed Use.

The owners of the property and proprietors of Hong Kong Cafe have been enduring friends and partners of Neighborhood House, which is located just half a block away from the restaurant. Phil, Terry, and their siblings are valued members of our community and they have consistently demonstrated a strong commitment to fostering positive relationships and contributing to the growth and well-being of our neighborhood.

Their collaboration and partnership have been integral to the well-being of our center. Hong Kong Cafe has donated to fundraisers, events, and youth programs; performs regular landscaping at the center; and provided food for our food pantry. Additionally, Phil has assisted us with all of our maintenance needs since the sudden death of our longtime facilities engineer over a year ago. I cannot say enough good things about the support they have provided at no cost for our center.

In addition to their support of Neighborhood House, they are long standing champions of other local businesses on Regent Street and neighborhood residents.

We support the change to Community Mixed Use zoning and whatever future projects may come out of it. The change to higher height restrictions will allow for the potential of developing more much-needed housing in our neighborhood.

In conclusion, I wholeheartedly endorse Hong Kong Cafe's application for a zoning change. Their establishment has proven time and again to be a vital and caring presence in our community, and I am confident that with this change, they will continue to create a positive impact for years to come.

Sincerely,

Laura Gundlach
Executive Director, Neighborhood House Community Center

Neighborhood House Community Center
29 S. Mills St. | Madison WI. 53715
neighborhoodhousemadison.org
Madison's first and oldest community center
Est. 1916

Laura Gundlach, Executive Director
Neighborhood House Community Center
29 S. Mills St.
Madison WI 53175

October 5, 2023

My name is Laura Gundlach and I am the executive director at Neighborhood House Community Center, located at 29 S. Mills St. I am writing to express the wholehearted support for increased height in any future development at 2 S. Mills Street (Hong Kong Café).

I have been made aware that the portion of any future redevelopment could be eight stories facing Regent Street, but that the portion facing Bowen Court would be of a lower height. Madison is in dire need of more housing, especially close to campus/downtown. A change to higher height restrictions of eight stories for the whole building will allow for the potential of developing more much-needed housing in our neighborhood.

Neighborhood House is currently working with The Alexander Company to redevelop our site into a 6-story building. Other potential redevelopments in the Regent Street area plan to build even higher. Allowing higher development at Hong Kong Café will align with other developments in the area and be consistent with surrounding buildings.

The owners of the property and proprietors of Hong Kong Cafe have been enduring friends and partners of Neighborhood House, which is located just half a block away from the restaurant. Phil, Terry, and their siblings are valued members of our community and they have consistently demonstrated a strong commitment to fostering positive relationships and contributing to the growth and well-being of our neighborhood.

Their collaboration and partnership have been integral to the well-being of our center. Hong Kong Cafe has donated to fundraisers, events, and youth programs; performs regular landscaping at the center; and provided food for our food pantry. Additionally, Phil has assisted us with all of our maintenance needs since the sudden death of our longtime facilities engineer over a year ago. I cannot say enough good things about the support they have provided at no cost for our center.

In addition to their support of Neighborhood House, they are long standing champions of other local businesses on Regent Street and neighborhood residents.

In conclusion, I enthusiastically endorse an increase in height for the portion of the redevelopment facing Bowen Court. Their establishment has proven time and again to be a vital and caring presence in our community, and I am confident that with this change, they will continue to create a positive impact and access to more housing in Madison for years to come.

Sincerely,

Laura Gundlach
Executive Director, Neighborhood House Community Center

TALLARD APARTMENTS LLC

July 24, 2023

To whom it may concern:

Re: Regent Street Neighborhood Master Plan, Building Height

Jeff Tallard, Ed Tallard, & I, the owners of Tallard Apartments LLC, are in support of the potential to raise the maximum number of building stories in the area surrounded by Regent Street – South Mills Street – Milton Street – South Charter Street to six stories from the current plan of three/four stories. We support changing the district from NMU to CMU designation. We are owners of several properties inside that border. Currently, we have no plan to potentially develop. But, by raising the building height to six stories may entice someone to do so. A project would be more economically viable with more stories.

Any new construction in this area would be a positive for this section of the Regent Street corridor. It would create economic development as well as enhance curb appeal from the older homes and commercial properties. It is a vibrant area of Madison, but is kind of an eyesore with no real continuity between properties.

Sincerely,



Peter Lemberger
Co-Owner/Broker
Tallard Apartments LLC

1445 Regent Street, Madison, WI 53711
Phone (608) 250-0202 Fax (608) 256-5906
www.tallardapartments.com

TALLARD APARTMENTS LLC

October 10, 2023

To whom it may concern,

Re: Regent Neighborhood Master Plan, Building Height

Jeff Tallard, Ed Tallard and I are the owners of Tallard Apartments LLC. We own and manage the following properties in the Regent – Charter – Bowen – Milton - S. Mills blocks:

1117 Bowen Court

1119 Bowen Court

1125 Bowen Court

1128 Bowen Court

1129/31 Bowen Court

15 S. Charter Street

36 S. Mills Street

1114 Milton Street

1120 Milton Street

1124 Milton Street

1128 Milton Street

1132 Milton Street

We are support of converting these entire blocks to a CMU designation.

Sincerely,



Peter Lemberger
Co-Owner/Broker
Tallard Apartments LLC

1445 Regent Street, Madison, WI 53711
Phone (608) 250-0202 Fax (608) 256-5906
www.tallardapartments.com

Current height restrictions on Regent Street

From: Jim Stopple (jim@madisonproperty.com)

To: terryleung1668@yahoo.com

Date: Tuesday, July 11, 2023 at 11:17 AM CDT

Terry, thank you for visiting with me today about your goals and aspirations for your property at the corner of South Mills and Regent Street and the entire Regent Street community. Development is going on throughout Madison. We are seeing developments heights as high as 14 stories, yet Regent Street is confined to four- to six-story buildings.

The Hong Kong Café block is ideal for development. It sits just a few blocks from Meriter Hospital and the University of Wisconsin. As a Regent Street owner, I would encourage the City of Madison Zoning Department to re-evaluate the Regent Street Neighborhood Master Plan and increase height to 8 to 12 stories.

Please let me know if there's anything I can do to assist.

Thank you.

James Stopple, CPM
Madison Property Management, Inc.
1202 Regent St.
Madison, WI 53715
Desk 608-268-4912
Cell 608-516-8272
Office 608-251-8777
jim@madisonproperty.com
www.madisonproperty.com

July 25, 2023

To whom it may concern,

Greetings,

Trinity United Methodist Church supports the Hong Kong Cafe's request to change the designation for the 1100 block of Regent Street to "Community Mixed Use".

Thank you for your consideration.

David Jahr
Treasurer
Trinity United Methodist Church
1123 Vilas Ave.
Madison, WI. 53715

August 15th 2023

To whom it may concern,

I Roger Charly owner of Budget Bicycle Center stores 930, 1124, 1230 Regent. I also own several other properties on Regent Street; 912, 1002, 1201, and 1234 Regent St. I support Hong Kong Café in pursuing a change for the south side of 1100 block of Regent St to "Community Mixed Use". I also support changing building height to 6 stories. I was on the committee that addressed these changes.

Kind Regards,

Roger Lee Charly

Roger Lee Charly

1230 Regent Street Madison, WI 53715

608.347.7911

Subject: Support for Hong Kong Cafe's Future Land Use Map Amendment Request

Dear City Planning Department

I am writing to express my enthusiastic support for Hong Kong Cafe's request to amend the Future Land Use map of the Comprehensive Plan. Specifically, I am in favor of their proposal for a zoning change from the current designation as Neighborhood Mixed Use to Community Mixed Use at 2 South Mills. As a Greenbush resident, Board Chair of Neighborhood House and a fellow small business owner who values positive local development I am eager to voice my endorsement for this initiative.

Hong Kong Cafe has a great track record in the neighborhood, supporting fellow businesses, donating their time and efforts to helping out at Neighborhood House and running safe, and well regarded operations at their restaurant.

I urge the City Planning Department to consider their request favorably, recognizing the positive impact they have on our neighborhood.

Thank you for your time and consideration.
Sincerely,

Samuel Brown
Owner, Leopold's Books Bar Caffe

Re: Opinion question on neighborhood assoc. business memberships

From: John Perkins (perkinsj71@gmail.com)

To: terryleung1668@yahoo.com

Date: Monday, July 24, 2023 at 09:51 PM CDT

We had some discussion about this with Tag last week that led to a discussion with city staff. There were two of us on the call from Greenbush, one from Vilas plus Tag and 2 from the city planning department.

I admit I took some issue to Tag saying he was going to push for the change from NMU to CMU in the long-range land use plan. After some spirited discussion, the idea was floated to city staff to change the definition of NMU to be 2-5 stories rather than the 2-4. This would coincide with the 4 stories plus one bonus that's allowed under the current TSS (and, I believe, NMX) zoning district. City planning felt this was too big of a change to take on during this 5-year update.

I'll follow up with Tag's plan for alterations in this area. I don't like the idea of someone trying to change the zoning from TSS to CC or something else that allows for even further height. Neighbors didn't seem to have an issue with 5 stories on the Jensen site, so I suspect 5 stories wouldn't have much resistance on yours. We may be able to get changes added with a footnote on height.

Do you have an idea whether a redevelopment on your block would work at 5 stories? Or is someone going to say they can't make it cash-flow unless it is at least 6? That could change neighbors' attitude on the land-use change.

The devil is definitely in the details for such projects. If you don't have a good feel for the height requirement, please let me know.

John

To whom it may concern,

I Tina. Choles owner of Choles floral company located at 1135 Regent St.

I want to take this opportunity to show our support to Hong Kong Café in pursuing a change for our block to " Community Mixed Use "

Choles Floral Company

1135 Regent St Madison WI 53715

608-256-7727

Tina. Choles

AKES PROPERTIES

31 S. Mills St.
Madison, WI 53715
(608) 308-2510 phone
(608) 204-0806 fax

July 25, 2023

Plan Commission
City of Madison
C/O City of Madison Dept of Planning & Community & Economic Development
215 Martin Luther King Jr. Blvd
Madison, WI 53713

Dear Plan Commission Members,

As owner of 1111 Regent St, we support the amendment requesting:

1. The block bounded by Regent, Mills, Charter and Bowen Court:
   a. Neighborhood Mixed Use (NMU) portion amended to Community Mixed Use (CMU)
   b. Low-Medium Residential (LMR) portion to Community Mixed Use (CMU)

We agree that the requested changes are in line with much higher allowable heights of the surrounding blocks. This amendment would support gradual height transitions to the residential neighborhood to the south and west. As the owner of several properties in the Regent Street corridor, we see this as a smart growth plan.

Kindest Regards,

Steve Rognsvoog
Director of Operations
4 Lakes Properties
Managing Agent/Owner Hamilton Butler, LLC
steve@4lakesproperties.com

September 6, 2023

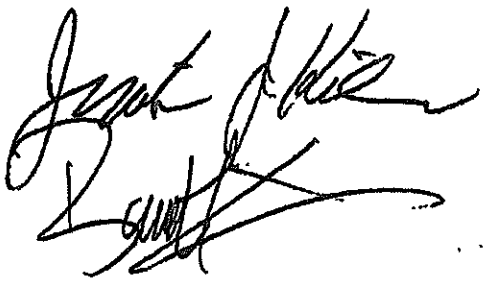
Jennifer Kilmer and Barrett Kilmer
owners
Indie Coffee LLC
1225 Regent St.
Madison, WI 53715

Dear Plan Commission members,

We are writing to express support for the proposal put forth by Philip and Terry Leung of Hong Kong Café and New World Investments LLC, to increase the height restrictions on Regent between East Campus Mall and Monroe Street. We have operated Indie Coffee at 1225 Regent for the past 19 years and have known Philip and Terry for most of that time. We have heard nothing but support from neighbors and the business community and believe more housing density in this area would greaqtly benefit the city of Madison as a whole.

Thank you for your time and consideration.

Best,
Jennifer and Barrett Kilmer



PETITION

Hong Kong Café, and other property owners in the area of Regent Street and Mills Street, are seeking a Generalized Future Land Use (GFLU) map amendment to the Comprehensive Plan to guide future zoning considerations and redevelopment for the 1100 south block of Regent Street. The following amendments are requested:

The block bounded by Regent, Mills, Charter and Bowen Court:

a. Neighborhood Mixed Use (NMU) portion amended to Community Mixed Use (CMU)
b. Low-Medium Residential (LMR) portion to Community Mixed Use (CMU)

Supporting this request are the following points:

1. the recent adoption of the Transit overlay district within ¼ mile of Park Street, the lack of development in this particular area of Regent Street due to the economics of real estate, land and development costs, and the City of Madison's long-term need to provide more opportunities for the creation of housing and other supportive commercial development.
2. Additionally, properties immediately to the north and east of the subject blocks are currently shown to be CMU and Employment (E) with much higher allowable heights. This amendment would support gradual height transitions to the residential neighborhood to the south and west.
3. The neighborhood plan was adopted prior to the 2018 Comp Plan, and conditions have changed substantially in the interim since the neighborhood plan was adopted. The current plan hamstrings redevelopment of the Regent Street corridor with low buildable heights. In light of underlying real estate values, developments at the lower heights are far less economically feasible without substantial subsidy.
4. The proposed amendment is consistent with the goals, strategies and actions of the 2018 Comprehensive Plan with regard to land use/transportation, housing, growing equitable economy, creating cultural vibrancy and character, and supporting parks with successful development and the fees it generates.
5. The proposed amendment fits well within the context of the predominant desired uses of the surrounding area, with potential for more housing and supporting commercial activity. Regent Street is unquestionably a commercial block at a crucial boundary between campus and neighborhoods. Allowing additional height in this corridor will spur improvements that the Comp Plan, businesses and neighbors north and south desire.



I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address	Signature
Patricia O'Callaghan	1910 Birge Terrace #2	Pat O'Callaghan
Teresa Knudson	1517 Fremont Ave	Teresa Knudson
Osmond Chen	701 Bartell St	[illegible]
Holly McEntee	4813 Tokay Blvd Madison 53711	Holly McEntee
Saverio Capuano	302 Blue Ridge Pkwy Madison, WI 53705	[illegible]
Sandra Boehm	W10841 Wildwood Way	Sandra Boehm
RHGARD METZ	5194 SASSAFRAS DR, 301 FITCHBURG, WI 53711	[illegible]
Paul Gabourie	624 Cabrillo Dr Verona WI 53593	[illegible]
Lea Jacobs	1624 Madison St 53711	Lea Jacobs
[illegible]	1129 Crin St #1	[illegible]
Ben Brewster	1624 Madison St	[illegible]
Glenn Cushing	2205 CHAMBERLAIN Ave	[illegible]
PATRICK STERN	2556 W. LAWN AVE	[illegible]
Emma Ruffo	173 Tower Dr	[illegible]
Jenny Ruffo	1110 Surrey Dr SP	[illegible]
[illegible]	1332 Brittingham Cl	MARY BERRIMAN AGARD
Martha Scott	4014 Hearthstone Jamesville	Martha V Scott
Tom Williams	2216 Korgen Dr	TS Williams
Helen Williams	2216 Korgen Dr.	Helen Williams
Richard B. Jacobson	1933 Regent St. Apt 210	RICHARD B. JACOBSON
Rick Voland	2120 University Ave.	Rick Voland
[illegible]	1097 Roby Rd	[illegible]
PAUL MICHOR	6306 TWIN OAKS CT WI OREGON,	[illegible]
Joel Michor	3902 Maple Grove Dr. Madison WI	Joel Michor
DAVID STRECKER	2112 Jefferson	[illegible]
Stephen Dewitt	2702 Monroe St Madison	Stephen Dewitt

I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address	Signature
Nancy Curtin	5916 Hammersley Rd	Nancy Curtin
Karen Lenoch	220 Bordner Dr.	Karen Lenoch
Marcy Gurovitsch	2214 Dahlk Cir.	Marcy Gurovitsch
Libby Macksman	2789 Rosellen Ave	Libby Macksman
Frank Lenoch	220 Bordner Dr.	[illegible]
Mark Schafer	2214 Dahlk Cir	[illegible]
DENNIS PURDY	201 N. HILLSIDE TERR.	Dennis Purdy
Dave Tawd	5916 Hammersley	Dave Tawd
Zach Kreisler	25 Autumnwood Cir	[illegible]
Logan Kahl	2516 Lordshire	[illegible]
Amy E Collier	1414 Chandler St	Amy E Collier
David Sykes	6310 Offshore Dr	[illegible]
Steve Bergen	6310 Offshore Dr	Steve Bergen
Pete Collier	1414 Chandler	Peter Collier
Christopher Gillette	421 Engelhart Dr	[illegible]
GARY POULSON	637 Charles Ln	Gary Poulson
Audrey Short	413 Dyring Hawk Trl, Madison	Audrey Short
Gail Miller	1813 Rowley AV	Gail Miller
Friedrich Winer	1617 Loftsgordon Ave	[illegible]
Tina Choles	2 Madeline Island	Tina Choles
KATHY GUNDLACH	5086 BYRNE RD.	Kathy Gundlach
JERRY GUNDLACH	5086 BYRNE RD.	[illegible]
[illegible]		
[illegible]		
[illegible]		
[illegible]	225 Potowatomi	[illegible]
LUIS SORIA	1105 REGENT ST	[illegible]

I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address	Signature
James Morin	622 Jacobson Ave	[illegible]
Mark Thomas	2601 Badger Ln	[illegible]
Barb Geurts	3003 Marvin Ct.	Barbara Geurts
Jerry Geurts	3003 Marvin Ct	[illegible]
Shara Greidanus	1306 Landmark	[illegible]
Jaret Schroeder	1918 Madison St.	Jaret Schroeder
Emily Schroeder	1918 Madison St	[illegible]
Steve Anderson	617 S. Madison St Staughton	[illegible]
Bob Worm	4129 Monona Dr	[illegible]
Kathy Curtis-Waddell	3347 N Stone Creek Circle, Madison	K Curtis-Waddell
Siu C Leung	1030 HIGH ST. MADISON	[illegible]
Greg McThern	1305 North Part Dr	[illegible]
Sullivan, D. Michael	2233 Selkirk Drive	[illegible]
Nancy A. Schmeiser	113 Van Duesen St	Nancy A. Schmeiser
Thomas Brush	1909 Keyes Ave	[illegible]
Mary Brush	1909 Keyes Ave	[illegible]
Anita Morris-Dockter	1905 Frisch Rd	Anita Morris Dockter
Garth Dockter	1905 Frisch Rd	Garth Dockter
Louise Stephenson	3552 Richie Rd	Louise Stephenson
David Stephenson	3552 Richie Road	[illegible]
Brooke McCullick	208 Olson Ave	[illegible]
Erin Gillitzer	5909 Sharpsburg Dr.	[illegible]
Judy Chrestensen	2535 Marshall Pkwy	[illegible]
Gregg Schieve	5 Kiowa Ct Madison	[illegible]
Iris Christensen	5 Kiowa Ct. Madison	[illegible]
Rosemary Patton	20 N Butler St Madison	[illegible]
Matthew Reniero	20 N Butler St Madison	[illegible]

I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address	Signature
Tony Patton	1738 Cedar Creek Tri	[illegible]
Don Schutt	2974 Roidt Dr.	[illegible]
Sarah Schutt	2974 Roidt Dr.	[illegible]
DAVID PUTTKAMER	608 HARRISON ST	[illegible]
Richard Cheadle	147 E. Reynolds	[illegible]
Sherry Cheadle	147 E. Reynolds St	[illegible]
Jerry GOODMAN	6019 WILLIAMSBURG WAY	[illegible]
Jean Wiechert	6014 Danville Dr.	[illegible]
TOM GIVNISH	206 NATCHEZ TRACE	[illegible]
Eva Kühl	1157 Sherman Ave.	[illegible]
Michael Frank	402 S Owen Dr	[illegible]
Casey Kavanaugh	1010 Oakland Ave	[illegible]
Katie Uhalt	1010 Oakland Ave	[illegible]
Frederick R Blattner	1547 Jefferson	[illegible]
Robert Shanks	1260 Gile Way	[illegible]
Mary Lee	2810 Post Rd	[illegible]
Barbara Morris	5501 Lacy Rd	[illegible]
Sandy Finnerty	1635 Pondview Ct	[illegible]
Pat Finnerty	1635 Pondview Ct	[illegible]
Betty Zeps	1922 Adams St.	[illegible]
Dale Kraus	391 Van Buren St	[illegible]
MARK BARRY	8986 WATERFORD ST	[illegible]
Nick Mott	555 South Midvale Blvd	[illegible]
John Hagemann	324 Isham St. Stoughton	[illegible]
Shelby Schaefer	222 Crystal Ln	[illegible]
Erin Mender	5609 Glenway St	[illegible]
Maria Walker	P.O. Box 234 Morrisonville	Maria Walker

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Name (print)	Address	Signature
Nicole Silva	6755 depot street windsor WI	Nicole Silva
Evelyn Heymood	1937 Vondron Rd.	Evelyn Heymood
James Morgan	5609 Wenwag St	[illegible]
PAT SCHMITT	6621 BOULDER LN	[illegible]
Amelia Zirkle	4716 Turner Ave	Amelia Zirkle
BARRY ORTON ~~Barry Orton~~	4718 LAFAYETTE DR	Barry Orton
Jim Stahl	6648 Offshore Dr 53705	James G Stahl
Howard Hahn	314 S Charter Street	Howard Hahn
Nick Dorr	833 S. Shore Dr	[illegible]
Jody Dorr	833 S. Shore Dr	[illegible]
GUNDEL METZ	5194 SASSAFRAS, FITCHBURG	[illegible]
Robert Markwardt	838 E. Johnson St.	[illegible]
David Ohnstad	P.O. Box 365 Black Earth	[illegible]
Paul Ninneman	1909 Sherman Ave.	[illegible]
Bob Terrell	3210 Quincy Av	[illegible]
Jenny A Schultz	319 S. Burnett	Jenny A Schultz
Jenny M Schultz	319 S. Burnett	Jenny M Schultz
Ashley Schultz	995 S Main St	[illegible]
Mike Schmaltz	408 E Washington Ave	Mike Schmaltz
Marc Schmaltz	408 E Washington Ave	[illegible]
Kelly Schmaltz	6107 Patton Ct	Kelly [illegible]
CHARLES SCALA	41 SETTLER HILL CIRCLE	[illegible]
Joel Levin	625 N. Segoe Rd #602	Joel R. Levin
Kandis Elliot	814 Powers Ave	
Mary Berger	2676 Aberdeen Ct	Mary Berger
Bertha Voigt	2676 Aberdeen Ct.	Bertha Voigt
Carol S Schulston	113 Cambridge Rd	[illegible]

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Name (print)	Address	Signature
KAREN RIVERA	618 Frederick St Sun Prairie Wi 53590	Karen Rivera
Julie Zbigniewicz	2792 Twilight Dr. S.P.	Julie Zbigniewicz
Andrew Kane	303 Princeton Ave, Madison, WI	Andrew Kane
Jake Nagel	467 Blue Heron Dr, Pulaski, WI	[illegible]
Nicole Kamholz	1617 Hoyt Street, Madison, WI	
Ellis Kozlovsky	303 Princeton Ave, Madison WI	
Juan Montes	4813 Kingsford Way Madison WI	[illegible]
Stephany Linn	1843 Nakoosa Trail Madison WI	[illegible]
Adriana Gamble	4502 RIGNEY Lane MADISON WI	[illegible]
Erika Alcala	1138 Brooklyn, WI	[illegible]
Lisa Steinbach	1517 Westshire Circle	Lisa Steinbach
Paul Lippey	1117 E Main Stoughton 53589	Paul Lippey
Audrey McDermott	328 #2 Ruby Rd Stoughton WI 53589	Audrey McDermott
Manuel Hernandez	3205 Maple Grove DR	[illegible]
Warsa Zerome	2326 Badger Pkwy	[illegible]
Skylar Flannery	W995 Taylor Trail	Skylar Flannery
Gopi Patel	1133 Petra Pl. 4	Gl. Patel
[illegible]	1962 [illegible] Rd	[illegible]
Dustin Schutter	4102 Mineral Point rd	[illegible]
Brenda Frary	903 W. Badger Rd	[illegible]
Dave Rieck	5445 Hazelcast Dr	[illegible]
Danae Newallo	177 N Lexington Pkwy Deforest	[illegible]
Matt R.	202 S PARK ST	[illegible]
Michelle Miller	202 S. Park St	[illegible]
Jason Egner	202 S Park St.	[illegible]
Crystal Stigler	202 S Park St.	[illegible]
Cache Pluck	[illegible]	[illegible]

I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address	Signature
Sarah Levin	1715 Hoyt St. Madison	[illegible]
DONA FRUSHER	1014 HIGH ST	Dona Frusher
Freddie Frusher	10 ft High St	[illegible]
Steve Books	625 Spruce St.	Steve Books
Michael Shapiro	5164 Reynolds Ave	[illegible]
Danielle Shapiro	5764 Reynolds Ave	[illegible]
THOMAS OATES	4126 N. SUNSET CT.	[illegible]
Chris R Larkin	214 Merrill Crest Dr	[illegible]
Jill Carlsen	214 Merrill Crest Dr	Jill Carlsen
Sue Polkowski	5010 Barton Rd.	[illegible]
Jim Polkowski	PO Box 5593 Madison	[illegible]
Megan Roth-Mackenzie	918 Jenna Dr. Verona	[illegible]
HORENE E ROTH	544 Hilltop Dr Madison	Horene E Roth
Barbara E. Schaff	1121 Red Tail Dr.	Barbara E. Schaff
Hope Elliott	5802 Leanne Lane	Hope Elliott
James Elliott	5801 Leanne Lane	[illegible]
Joan Snedeker	520 S. Orchard St	Joan Snedeker
Mike Snedeker	520 So. Orchard St	Michael Snedeker
Bob Ruhland	5792 Lacy Rd	[illegible]
Luanne Ruhland	5792 Lacy Rd. Madison	Luanne Ruhland
Clifford Koehler	214 N Whitney Way	Clifford Koehler
Mike Lester	30 South Mills	[illegible]
Rob OLSON	1201 BAITINGER CT SP	[illegible]
Kathy Lueck	1417 Oak St Watertown	Kathy Lueck
Mary Mason	1 Hartwig Dr. Johnson Creek	[illegible]
Andy Heidt	3128 St Paul Ave Mad	[illegible]
Max Heidt	108 S Mills St	[illegible]

I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address 53711	Signature
Lee Jones	5856 Schumann Dr	[signature]
Mark O Pease	5705 West Open Meadow 53558	[signature]
Katharine E. Pease	5705 West Open Meadow 53558	Katharine E. Pease
Nancy Bradley	108 S. Mills 53715	[signature]
David A Barnett	1060 Jechzer Rd Deerfield	[signature]
Kevin Lee	6005 Lynbrook Lane 53719	[signature]
Caitlyn Fung	1320 Bowen Ct 53715	[signature]
Isabelle Inthisone	239 Moorland place 53596	[signature]
Anna Tobon	442 W Main St, #4, 53703	[signature]
Juan Esparza	215 N Frances St, 53703	[signature]
Bailey Olson	29 Capitol View Ter. #5	[signature]
Christina Olson	29 Capitol View Ter #5	[signature]
Jackson Schmitt	1815 University Ave Apt #203	[signature]
Scott J. Wardell	4106 Graghawk Tr Madison WI	[signature]
[illegible]	2025 Jefferson St	[signature]
Janet Lawler	2025 Jefferson St	[signature]
Mike Hellenbrand	2731 Ridge Ct. McFarland	[signature]
Janeen Hellenbrand	2731 Ridge Ct McF	[signature]
Ashley Hellenbrand	1835 Winnebago St #103	[signature]
Bonnie Thiel	1518 Blue Heron Way 53575	[signature]
Aaron Thiel	1148 Fish Hatchery Rd	[signature]
Swaminath Rajagopalan	1711 Black Cherry Ct Veronawi	[signature]
Alyson Brush	1909 Keyes Ave Madison, WI	[signature]
Amy Curtin	2200 Colladay Pt Dr Stoughton	[signature]
James Uhalt	442 Ineachen Drive	[signature]
Charles Uhalt	417 Coyle Pkwy Cottage Grove	[signature]
Mary Chance	559 Chathan Ter.	[signature]

I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address	Signature
NATASHA FERREIRA	4511 MAHER AVE. 53706	
Louis Immendorf	363 W WASHINGTON #1107	
Dan Molloy	146 Lansing St 53704	
Liz Windsor-Engnell	1330 Forster Dr 53704	
Ruiqun Chen	1301 Reed Ct. 53597	
Patrick Harvey	1446 Wheeler Rd.	
Alexis Tokos	1446 Wheeler Rd	
Nate Garrison	711 Cricket Ln Unit 3	
Rachel David	1756 S. Fish Hatchery 53575	
Kyle Anderson	1756 S Fish Hatchery Rd 53575	
Lee Ping Ong	927 Burwyck Dr. Janesville WI 53546	Lee Ping Ong
Annika Mueller-owens	1335 Drake St.	
Elias Milanich	1335 Drake Street	
Hope Marshall	1335 Drake Street	
Brannen Clark	837 West Badger Road #7	
Elizabeth LimKim	1610 Mayfield Lane	Elizabeth LimKim
NASHITAN KAWAE	6652 N. TOWNE RD	
Taylor McElligott	2249 Coolidge St. #2	
WOODY WALLACE	401 BRYCE CANYON CIR	
Jake Kujawa	5452 Patriot Dr	
Alissa Bratz	1416 Lansing St.	
Kinnic Eagan	3024 Irvington Way	
Scot Pownell	1805 Manley St	Scot Pownell
Olivia Yee	1520 Tripp Cr.	
Laila Jenkins	1335 Drake St.	
Kenneth Chuen	10 N Livingston	
Kimberly Anderson	1806 Danbury 53711	

I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address	Signature
Brian Corriveau	2442 Superior	[signature]
Curt Hendrickson	1410 WHEELER RD	[signature]
Gail Seffingwell	N4837 Hagen Rd R10	[signature]
Dan Prine	2 Badeau Cir. 53704	[signature]
Eric Winegarner	1 Northridge Terr. Apt B 53704	[signature]
Casey Tapster	1938 Shelley Ln. 53704	[signature]
Mike Marinac	9 Glen Hwy	Michael Marinac
Melissa Adams	418 N. Sherman Ave. 53704	M. Adams
Scott Endres	418 N Sherman 53704	[signature]
Dave Ballman MD	1014 E Johnson St	[signature]
Sarah Kazeel	6214 Schroeder Rd 53711	[signature]
Sterling S. Glass	4501 Village Ln	[signature]
Isabelle Baggenstoss	1013 Spring St	[signature]
Matthew Baier	312 N. Brearly St	[signature]
Andrew Bork	5564 River Rd. 53597	[signature]
Ed Manuel	6401 Dylyn Dr 53719	Ed Manuel
Kelly Elver	6401 Inner Dr 53705	[signature]
Eric Forslund	6401 Inner Dr 53705	[signature]
Andrew Forslund	6401 Inner Dr 53705	[signature]
Mia Forslund	6401 Inner Dr 53705	Mia L. Forslund
IP Hing Wah	1225 Jasmine Dr 53719	[signature]
Hai Van	1225 Jasmine Dr 53719	[signature]
Meissa Lang	1225 Jasmine Dr. 53719	[signature]
CHUH LAM	1225 Jasmine Dr 53719	[signature]
IP Fung Ngor	1225 Jasmine Dr 53719	[signature]
IP Hin Lam	1225 Jasmine Dr 53719	[signature]
IP Curtie	1225 Jasmine Dr 53719	[signature]

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I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address	Signature
JULIE ADRIANSJACH	2656 S. STOUGHTON RD	
PAM Adriansjach	2656 S. Stoughton Rd	
Hasanah Syadhrani	2222 S. Whitney Way	
PA CHEE THAO	1014 W Badger Rd #C	
Sara Jow Olsen	117 Woodview Dr. Cottage Grove	
Christopher Olsen	117 Woodview Dr, Cottage Grove	
Philip Rein	2675 N DARK LN Fitchburg	
Max Pretasky	932 E MIFFLIN ST #1	
Cole Frost-Ohlsen	1923 E MIFFLIN ST	
Ka Moua Thao	1106 W Badger Rd #B	
Nancy Xiong	1015 W. Fiedler LANE #2	
Kevin Xiong	1015 W. Fiedler Ln #1	
Maichia Thao	1015 Fiedler Ln #1	
Jimmy Xiong	1015 Fiedler Ln #1	
Boun Xiong	1014 W Badger #C	
Vong Thao	1106 W Badger rd #B	
GEOFF CONRAD	5 VISTA RD	
Trina Hagemann	35 Pelican Cir.	
	38 Jennifer	
Robert Stohr	5188 Satsuma Lane Fitchburg	
Curtis Jones	5731 Monticello Way	
Jana Lawrence	10 Gerry Ct N	
Barbra Lawrence	5731 Monticello Way	
Jaxson Uhalt	442 Ineichen Dr	
Anastacia Funek	2910 Stafford Dr	
Jill Cohen Kolb	1910 Rowley Ave	
William Kolb	1910 Rowley Ave	

I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address	Signature
PETER Li	5018 piccadilly DR	Sau Li
AI HOA FENG	4019 Gray Hawk	Ai Hoa
DAO Phung	2535 Way Brige	Dao Phung
DAN BAUKNECHT	2313 CENTER AVE	[illegible]
Kristie Roller Bauknecht	2313 Center Ave.	Kristie R Roller
Cyrena Pondrom	210 Princeton Ave 53726	Cyrena N. Pondrom
Charlotte Woods	10 Regis Cir 53711	Charlotte Woods
DAWN Cherek	19 Broom St MAD, WI	Dawn Cherek
Sonny Senethavysouk	69 N. Broom St	[illegible]
Kinho Lee	7419 W Valley Ridge Dr.	[illegible]
Florence Yeung	7419 W Valley Ridge Dr.	Florence [illegible]
Jason Lee	7329 W Valley Ridge Dr	Jason Lee
Nuri Lee	7329 W Valley Ridge Dr	[illegible]
Saufai Lee	7329 W Valley Ridge Dr.	Saufai Lee
[illegible]	333 W. Main	[illegible]
R [illegible]	333 West Main	[illegible]
Barbara Brodhagen	928 West Shore	Barbara Brodhagen
James Beane	935 West Shore	[illegible]
Susie Hostetler	501 E Dean Ave	[illegible]
Laura Varsen	322 Memphis MDSN	[illegible]
Adam Huber	524 N Heatherstone Dr	[illegible]
Patrice Hebl	524 N Heatherstone Dr	Patrice Hebl
Jamie Sadoski	3225 Weybridge	[illegible]
Grady Sadoski	3225 Weybridge Dr	[illegible]
TOM HEBL	3225 WEYBRIDGE DR	[illegible]
Susie Fricano	5338 Lighthouse Bay DR	[illegible]

I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address	Signature
Katherine McCarthy	515 University Ave Madison WI 53703	
Angelina Huang	765 W Washington Ave # 208	
Jenelle Devries	1 Levine Ct Madison WI 53714	
Lewis Gross	420 W. Dayton St. 53703	Lewis Gross
Carol Oh	1 Geary Court Madison 53715	Carol Oh
Irene Lai	730 Williamson St. 53703	
Elizabeth Ambler	5451 Williamsburg Way 53719	
Hannah Wessel	548 W Wilson St, Madison 53703	

I support the map amendment sought by Hong Kong Café and other owners in the area for the entire 1100 south block of Regent Street to Community Mixed Use (CMU).

Name (print)	Address	Signature
BONNIE WHALEN	3812 DOLPHIN DR MADISON	Bonnie Whalen
CAROLYN REMMERT	201 N. Marietta WI 53719	Carolyn Remmert
Jill Hatleberg	6118 Stoney Oak Verona Madison	Jill Hatleberg
Shirley Leung	6005 Lynbrook Cir	Shirley Leung
Sin Ding Leung	1105 Regent St Madison WI 537.5	[illegible]
[illegible] LEUNG SIUHONG	4 S Mills St	[illegible]
Rebecca Ramy	3654 Dawes St Madison	Rebecca Ramy
LEUNG TERRY	4. S. Mills St. MSN	[illegible]

From:	Marcia Caton Campbell
To:	Plan Commission Comments
Cc:	Nicholas Leete
Subject:	Public Comment on Comprehensive Plan Interim Update
Date:	Wednesday, November 8, 2023 10:18:25 AM
Attachments:	Leete & Caton Campbell Plan Commission 20231108.pdf

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Plan Commission Members:

Attached are comments that Nicholas Leete, Chair of the Madison Food Policy Council, and I have prepared on the upcoming Generalized Future Land Use map update discussion scheduled to take place at the November 13th Plan Commission meeting. We thank you for your time in reviewing our feedback.

Sincerely yours,

Marcia Caton Campbell, MCRP, PhD (she/her/hers)
Executive Director

rooted
2702 International Lane, Suite 200
Madison, WI 53704
P: 608.772.0120 (Mobile)
marcia@rootedwi.org
www.rootedwi.org

I acknowledge that I live, work on, and benefit from the unceded ancestral lands of the Ho-Chunk nation known as Teejop (day-jope) since time immemorial. To learn more, please visit https://native-land.ca/.

November 8, 2023

To: City of Madison Plan Commissioners
From: Nicholas Leete, Director, Gardens Network Director, Rooted, and Chair, Madison Food Policy Council
Marcia Caton Campbell, Executive Director, Rooted, Member, Dane Food Council
Re: Comprehensive Plan Interim Update, Changes to the Generalized Future Land Use Map

As members of the Regional Agriculture and Food Sovereignty Working Group (RAFS), an entity created by the Madison Food Policy Council and Dane County Food Council, we have heard many requests for the preservation of farmland generally, along with specific requests from gardeners and farmers for access to farmland in and near the city. For the former, please see the recent Taskforce on Farmland Preservation adopted by the Common Council earlier this year. The latter includes a survey conducted by Rooted Gardens Network staff (including Nicholas Leete), of individuals interested in growing space over ¼ acre in size. With farmland preservation in mind, we ask the Plan Commission to consider the following:

First, the requirement that the Generalized Future Land Use (GFLU) amendment recommendations be limited to areas greater than 2 acres does not match the small scale at which most urban agriculture takes place. We ask that as the Plan Commission considers changes, and as this plan is used in the implementation of future zoning decisions, that sections of land down to ¼-acre (10,890 sq. ft.) in size be considered as important areas to preserve undisturbed. A ¼-acre plot can encompass 20 community garden plots at 20' x20' per plot, or is large enough for a small urban farm operation.

For your reference, and so that Plan Commissioners might understand what Rooted staff members (and many others in Madison) mean when we talk about urban agriculture, we attach two excerpts from American Planning Association Planning Advisory Service Report No. 563, *Urban Agriculture: Growing Healthy, Sustainable Places*, authored by Kimberley Hodgson, Marcia Caton Campbell, and Martin Bailkey.

- Excerpt #1, Urban Agriculture Described, offers a definition of urban agriculture and describes the value of this type of land use to overall community health and well-being, including its usefulness as an indicator of community resilience in environmental as well as social aspects.

- Excerpt #2, Typology of Urban Agriculture, covers the broad and varied range of types of urban agriculture practiced in cities around the United States, including the types of structures and facilities involved to support them.

We invite you to read these two excerpts to see why we are concerned about a requirement that GFLU amendment recommendations be limited to areas greater than 2 acres in size.

Second, we ask that the Plan Commission reconsider the GFLU Map Amendment Applications Nos. 66, 67, 68, and 69, made by Rooted staff, which recommended preserving all or a portion of areas on the east side of Madison as Parks and Open Space, with a goal of agricultural preservation. These suggestions were rejected by staff largely because they are part of or near planned low-density residential (LR) development. We suggest that rather than adding more low-density residential land to the city, the majority of these areas should be Parks and Open Space with some areas rezoned to higher density residential uses, or ideally, retain all of these areas for urban agricultural, while identifying other areas of LR generalized future land use to convert to higher density residential. Having agriculture or other open space adjacent to higher density development is mutually beneficial: higher residential density creates both an increased need for open space uses such as community agriculture and also generates larger, more concentrated user groups for those spaces. We believe this would be a preferable plan over continued low-density development.

With regard to specific amendments:

- Application #67 was not supported because "requester doesn't own the property,, but it appears that many requests came from "organization not listed or submitted by individual" and one such application (#51) was accepted. As a result, we request staff reconsideration of our application.

- Application #69 was not recommended because the "area is nearing build-out….[and] on a transit line." Again, we do not see LR as an appropriate land use for an area that is near build-out and on a transit line. Higher densities are required to make transit operations cost effective; people residing at the scale of an LR development are most likely automobile drivers rather than transit riders. Ideally, there would be higher density development along the transit line, with urban agriculture close by, rather than a sparsely populated area on a transit line with agricultural land out of reach of public transit.

Finally, we express our dismay at the difficulty in identifying areas appropriate for agricultural land preservation for the GFLU update, given the limitations and restrictions placed on the task. As Director of the Gardens Network, one of the signers of this letter is extremely knowledgeable about the scale at which urban agriculture is practiced in Madison and the demand for additional urban gardening and farming spaces around the city. The other signer is a trained city planner whose expertise is community and regional food systems planning (and author of the publication excerpted above), with decades of experience. If we found it nearly impossible to identify any areas to recommend for preservation as agricultural land in a GFLU update, what luck would the general public have in performing this task and providing their input to the process?

We appreciate that the task of updating the GFLU map is significant, requiring considerable effort on the part of planning staff and careful consideration by the Plan Commission. We thank you for taking the time to read our comments.

Sincerely yours,





Nicholas Leete
Gardens Network Director
nicholas@rootedwi.org
Chair, Food Policy Council
Chair, Food Policy Working Group

Marcia Caton Campbell, MCRP, PhD
Executive Director
marcia@rootedwi.org
Member, Dane County Food Council
Chair, Food Plan Working Group
Past Chair, American Planning Association
Food Systems Division

Excerpt from Kimberley Hodgson, Marcia Caton Campbell, and Martin Bailkey. 2011. *Urban Agriculture: Growing Healthy Sustainable Places*, Planning Advisory Service Report No. 563, Chicago: American Planning Association, pp. 2-4.

Urban agriculture has implications for urban planning as regulated by local and regional governments and planning agencies.

Urban agriculture entails the production of food for personal consumption, education, donation, or sale and includes associated physical and organizational infrastructure, policies, and programs within urban, suburban, and rural built environments. From community and school gardens in small rural towns and commercial farms in first-ring suburbs to rooftop gardens and bee-keeping operations in built-out cities, urban agriculture exists in multiple forms and for multiple purposes.

While it is a small component of the larger community-based food system, urban agriculture is important to the overall health and resilience of communities and regions, and as a practice it is expected to increase over the next decade. Therefore, urban agriculture has implications for urban planning as regulated by local and regional governments and planning agencies. These implications need analysis and clarification, since urban agriculture falls somewhat outside the range of traditional land-use designations (e.g., is a commercial urban farm as a land use most similar to a rural farm, a commercial enterprise, or a public park?). There are also emerging connections between urban agriculture and the redevelopment of urban brownfields in residential and industrial areas (see, e.g., Kaufman and Bailkey 2004), as well as the more extensive and more productive use of lawns and green space. Urban agriculture has been found to influence the value of neighboring real estate and thus has implications for land use beyond the boundaries of a particular agricultural site (Voicu and Been 2008).



Kimberley Hodgson

Along with its connections to land-use planning, urban agriculture can contribute significantly to the development of social connections, capacity building, and community empowerment in urban neighborhoods, most commonly through community gardening (Hynes 1996; Johnson 2010). In addition, it offers links to community development practice as a viable means of creating jobs, training youth, supplementing food budgets, and generating modest levels of revenue for urban farmers who sell their products. Urban agriculture also has much to offer community health planners as a health-promoting activity but also as a mechanism to connect urban and suburban producers of fruits and vegetables with urban consumers. When combined with other efforts to improve access to healthy, affordable food (such as healthy-corner-store programs and supermarket-financing initiatives), urban agriculture can become a valuable tool in promoting community food security, particularly in low-income, urban neighborhoods.[1]

Urban agriculture is increasingly seen as an indicator of community resilience.

In American cities that have been especially hard hit by economic decline or that suffer from degraded environments, urban agriculture is increasingly being viewed by communities as a useful indicator of resilience.[2] Older, industrial cities—such as Cleveland, Detroit, and Buffalo—with their drastic losses of population and acres of vacant land resulting from depopulation and disinvestment, are emerging as centers for urban agriculture initiatives. In essence, they are becoming laboratories for the future role of urban food production in the postindustrial city. Yet urban agriculture is also an



Kimberley Hodgson

increasingly important land use in dense, built-out cities such as Seattle and New York. Problems of food access disparities, childhood obesity, and food illiteracy have prompted urban agriculture activity on a variety of traditional and nontraditional spaces on public and private property.[3]

Finally, urban agriculture is part of a larger community-based food-system continuum that spans rural, periurban (peripheral areas where urban or suburban meets rural), suburban, and urban areas. As such, it is a key component of the emerging practice area of community and regional food systems planning that appears to be garnering increased acceptance among planning practitioners, educators, and students. As described in PAS Report No. 554 (Raja et al. 2008), community food planning seeks to foster greater levels of health and nutrition, particularly in low-income communities, by creating productive "food environments" through programmatic efforts (including community gardens and urban farms, farmers markets, and direct farm-to-school meal programs), policy initiatives (food charters and food policy councils), and comprehensive plans and zoning measures that accommodate community food activities.

A community-based food-systems approach has the potential to simultaneously address issues of food security, public health, social justice, and ecological health in local communities and regions, as well as the economic vitality of agriculture and rural communities. Such an approach emphasizes, strengthens, and makes visible the relationships among producers, processors, distributors, and consumers of food at the local and regional levels (Raja et al. 2008), while aiming to be:

Place-based, promoting networks of stakeholders, linking urban and rural issues, engaging residents, and creating senses of place;

Ecologically sound, using environmentally sustainable methods for producing, processing, distributing, transporting, and disposing of food and agricultural by-products;

Economically productive, bolstering development capacity and providing job opportunities for farmers and community residents;

Socially cohesive, facilitating trust, sharing, and community building across a diverse range of cultures and addressing the concerns and needs of marginalized groups, including minority and immigrant farmers and farm laborers, financially struggling small farmers, and underserved inner-city and rural residents; and

Food secure and literate, providing equitable physical and economic access to safe, nutritious, culturally appropriate, and sustainably grown food at all times across communities and fostering an understanding and appreciation of food, from production to disposal.

While programs, projects, and entrepreneurial activity are important components of a healthy, sustainable food system, their replication and effectiveness are often hindered by the absence of public policies that provide governmental, legal, and institutional support for community-based food systems (Raja et al. 2008). Historically, planners and local governments have had limited interests in food-systems issues and food policy (Pothukuchi and Kaufman 1999, 2000; Caton Campbell 2004). However, a number of formal and informal coalitions of food-system stakeholders, including local and regional governments and planners, are developing and implementing successful plans and policies to address issues—from food production to waste disposal—in hopes of creating healthier, more sustainable food systems, communities, and people.

Excerpt from Kimberley Hodgson, Marcia Caton Campbell, and Martin Bailkey. 2011. Urban Agriculture: Growing Healthy Sustainable Places, Planning Advisory Service Report No. 563, Chicago: American Planning Association, pp. 17-19.

CATEGORY	TYPE	DESCRIPTION
NONCOMMERCIAL	Private Garden	Private food-producing gardens located in the front or back yard, rooftop, courtyard, balcony, fence, wall, window sill, or basement of a private single-family or multifamily residence, attended to by an individual or gardening business. End products are typically used for personal consumption. Examples: National Gardening Association (www.garden.org), American Horticultural Society (www.ahs.org), Organic Gardening (www.organicgardening.com)
	Community Garden	Small- to medium-scale production of food-producing and ornamental plants, on contiguous or discontinuous plots of land, located on public or private property in residential areas, gardened and managed collectively by a group. Gardening activities and end products are typically used for consumption or education; however, they may also be sold on- or off-site, depending on local government regulations and the goals of the garden as a collective effort. Examples: American Community Gardening Association's community garden database (http://acga.localharvest.org), P-Patch Community Gardens (Seattle; www.seattle.gov/neighborhoods/ppatch), Neighborhood Gardens Association (Philadelphia; www.ngalandtrust.org)
	Institutional Garden	Small to large food-producing gardens or orchards located on private or public institutional property (school, hospital, faith-based organization, workplace) in a residential, commercial, or mixed-use area, gardened by an organization or business. The process of gardening is typically used for educational, therapeutic, and community service purposes—including but not limited to nutrition education, environmental stewardship, and community ministry. The end products are typically used for donation or consumption. Depending on local government regulations, they may also be sold on- or off-site at a stand, market, or store to financially support the garden's specific activities. Examples: Edible Schoolyard garden (Berkeley, Calif.; www.edibleschoolyard.org), Google Corporation organic garden (Mountain View, Calif.; www.google.com/corporate/green/employee-benefits.html), Harvard Pilgrim Health Care employee garden (Wellesley, Mass.), Legacy Good Samaritan Hospital garden (Portland, Ore.); Sophia Louise Durbridge-Wege Living Garden at the Family Life Centre (Grand Rapids, Mich.)
	Demonstration Garden	Small food-producing garden located on private property (school, hospital, faith-based organization, workplace) or public property (park, school, and other civic space) in a residential, commercial, or mixed use area for public demonstration purposes only, gardened by a local government agency, community organization, or business. End products are typically donated to local organizations and food banks. Examples: Baltimore City Hall vegetable garden, San Francisco City Hall Victory Garden, Not a Cornfield (Los Angeles; http://notacornfield.com), Public Farm One (New York; www.publicfarm1.org)
	Edible Landscape	The use of food-producing plants in the design of private and public outdoor spaces in residential, commercial, and mixed use developments, attended to by an individual or business. End products are typically used for consumption. Examples: Edible Estates (www.fritzhaeg.com/garden/initiatives/edibleestates/main.html), South East False Creek Mixed Used Development (Vancouver, B.C.; http://vancouver.ca/commsvcs/southeast/docments/pdf/designingUA.pdf)
	Guerrilla Garden	Unauthorized appropriation and cultivation of food-producing or ornamental plants on untended, abandoned, or vacant private or public land by an individual or group. End products are typically used for neighborhood revitalization purposes. Examples: Los Angeles Guerrilla Gardening (www.laguerrillagardening.org), SoCal Guerrilla Gardening (http://socalguerrillagardening.org), Edmonton Guerrilla Gardening (http://edmontongg.blogspot.com), South Phila Guerrilla Gardening (http://guerrillaphilly.wordpress.com), Green Guerillas (New York; www.greenguerillas.org)
	Hobby Beekeeping	Small-scale keeping of honeybees for personal use. Beehives can be colocated with gardens or nongarden uses (such as parks), on underutilized spaces (including rooftops) in residential, mixed use, or other public land areas. End products are typcially used for personal consumption, education, or donation. Examples: City Hall Bees (Vancouver, B.C.; http://vancouver.ca/commsvcs/socialplanning/initiatives/foodpolicy/projects/beekeeping.htm), New York City Beekeepers Association (www.nyc-bees.org)
	Hobby Chicken Keeping	Small-scale keeping of chickens for personal use in residential areas, or for commercial use in residential, mixed use, or other public land areas. Poultry keeping can be colocated with other agriculture and nonagriculture uses. End products are typically used for personal consumption, education, or sale. Examples: Backyard Chickens (Vancouver, B.C.; http://vancouver.ca/commsvcs/socialplanning/initiatives/foodpolicy/projects/chickens.htm), A2 City Chickens (Ann Arbor, Mich.; www.a2citychickens.com), Chicken Keepers (Cleveland; www.localfoodcleveland.org/group/chickenkeepers)

Table 2.1. *Typology of urban agriculture*

(continued)

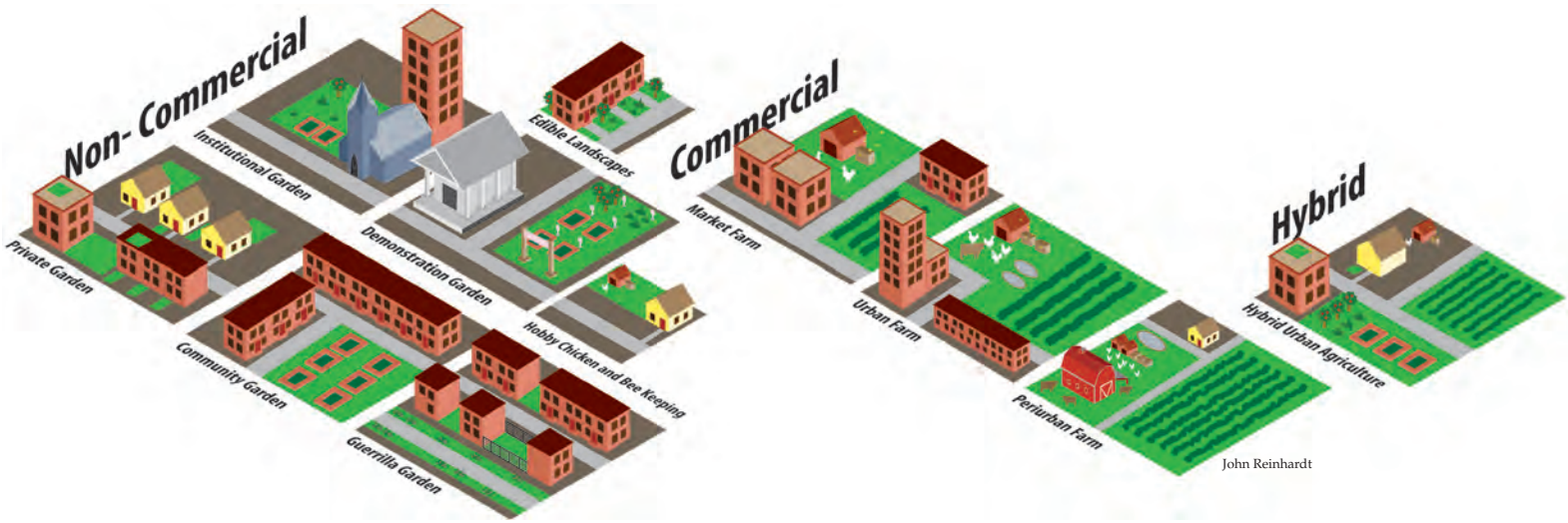
(continued from page 17)

CATEGORY	TYPE	DESCRIPTION
COMMERCIAL	Market Farm	Small- to medium-scale production of food-producing or ornamental plants, bees, fish, poultry, or small farm animals located on public or private property, and designed and managed for commercial purposes using a variety of growing techniques including in-soil, container, hydroponic, and aquaponic growing systems. End products are typically sold on- or off-site at a stand, market, or store. Examples: Urban Growth Farm (Cleveland; www.urbangrowthfarms.com), Fresh Roots Farm (Atlanta; www.freshrootsfarm.com)
	Urban Farm	Typically larger than market gardens and include larger-scale production of food-producing or ornamental plants, bees, fish, poultry, or small to medium-sized farm animals for commercial purposes using a variety of horizontal and vertical growing techniques including in-soil, container, hydroponic, and aquaponic growing systems. End products are typically sold on- or off-site at a stand, market, or store. If large enough, urban farms may adopt the community-supported agriculture (CSA) distribution model, through which consumers of the farm's produce over the growing season also share in its risks. Examples: Greensgrow Farm (Philadelphia; www.greensgrow.org), Red Planet Vegetables (Providence, R.I.; http://redplanetvegetables.wordpress.com), Springdale Farm (Austin, Tex.; http://springdalefarmaustin.com), Brooklyn Grange Farm (Brooklyn, N.Y.; http://brooklyngrangefarm.com)
	Periurban Farm	Practiced outside or on the fringes of metropolitan areas, often on agricultural land facing some threat of future development. Includes larger-scale production of food-producing or ornamental plants, bees, fish, poultry, or small to large farm animals for commercial purposes using a variety of growing techniques including in-soil, container, hydroponic, and aquaponic growing systems. Such farms are managed as agricultural businesses and may employ organic techniques or the CSA model. In most cases, the farm's production is marketed and distributed in the nearby metropolitan area. Examples: Potomac Vegetable Farms (Vienna, Va.; www.potomacvegetablefarms.com), Full Circle Farm (King County, Wash; www.fullcirclefarm.com)
	Beekeeping	Medium- to large-scale keeping of honeybees for commerical use. Beehives can be colocated with other urban agriculture uses (such as market gardens or urban farms) or other nonagriculture uses (such as parks or rain gardens), on underutilized spaces (including rooftops), in residential, commercial, mixed use, or industrial areas. End products are typically used for sale. Examples: Backyard Bees (Southern Calif.; http://backyardbees.net), Burgh Bees (Pittsburgh; www.burghbees.com), Earthworks Urban Farm (Detroit; www.cskdetroit.org/EWG/apiary.cfm).
HYBRID	Hybrid Urban Agriculture	Any combination of gardens and farms that produce food-producing or ornamental plants, bees, fish, poultry, or small to medium-sized farm animals for personal consumption, education, donation, and sale. Examples: 21 Acres (King County, Wash.; http://21acres.org), Hollygrove Market and Farm (New Orleans; www.hollygrovemarket.com), Growing Power (Milwaukee, Wis.; www.growingpower.org), Lynchburg Grows (Lynchburg, Va.; www.lynchburggrows.org), GROWHAUS (Denver; www.thegrowhaus.com)

Note:
Small = 0 to ½ acre or 1 beehive, 1–4 poultry, or 1 animal.

Medium = 1 to 2 acres or 2–4 beehives, 5–10 poultry, or 2–4 animals depending on poultry or animal size and available space.

Large = 5–10 beehives, 11 or more poultry, or 5–10 animals depending on poultry or animal size and available space.



ELEMENT	DESCRIPTION
Accessory Structures and Materials	
Growing	Raised beds, containers, and similar contained growing systems; planting-preparation houses or similar structures; greenhouses, hoop houses, coldframes, and similar structures used to extend the growing season; or hydroponic equipment, supplies, and structures
Irrigation	Water hoses, rain barrels, and other equipment used to irrigate the garden or farm
Compost	Bins, worms, screens, inputs (household, restaurant, or other food-service food waste; yard wastes; and poultry or animal manure), and other materials
Bees, poultry, and animals	Beehives, coops, cages, stables, barns, fences, or other enclosures
Fish	Aquaponic equipment, supplies, and structures
Storage	Tool sheds, dry or cold storage rooms, and other similar structures
On-site sales	Farm stand, retail store, or similar structure
Other	Benches, shade pavillions, restroom facilities, office space, picnic tables, children's play areas, and other structures and spaces.
Processing Facilities	
On-site facility	Partially or fully equipped kitchen for food preparation, preservation, or packaging, located on-site for personal consumption or commercial purposes. Commercial facilites are state inspected and licensed to allow the preparation and preservation of food for sale to a variety of retail destinations.
Community kitchen	Shared-use facility with a partially to fully equipped kitchen used for food preparation, preservation, and packaging. Noncommercial facilities are used for personal consumption purposes only and can be located anywhere from church basements to community centers to freestanding structures. Commercial facilities are state inspected and licensed to allow the preparation and preservation of food for sale to a variety of retail destinations.
Community processing center	Small-scale state-inspected and licensed facility containing a variety of equipment, which can be rented by urban growers to add value to raw food products through processing, packaging, and subsequent delivery to retail destinations
Distribution	
Food hub	Centrally located facility with a physical drop-off point for multiple food producers (gardeners, farmers) and a pick-up point for food buyers (restaurants, stores, institutions, cooperatives, caterers, etc.) wanting to buy locally grown or raised food products; or an online, virtual meeting place to connect food producers and sellers with food buyers
Retail Destinations	
Farm stand	Small retail venue, typically featuring one urban farmer, located on-site at a market garden, urban farm, or periurban farm, to sell agricultural products directly to consumers
Farmers market	Retail venue featuring multiple urban, periurban, or rural farmers operating within a certain geographic area to sell agricultural products directly to consumers
Community-supported agriculture	Direct grower-to-consumer sale and distribution model that emphasizes shared investment, responsibility, and risk. A grower sells a share of farm output to individuals and families at the beginning of the growing season and supplies seasonal produce and other agriculture products weekly or biweekly throughout the growing season. Agricultural products are typically distributed directly from the farm to an individual shareholder's home, place of work, or designated pick-up site.
Farm-to-institution	Direct sale of locally produced food products to schools, universities and colleges, hospitals and long-term care facilities, prisons and correctional facilities, and other institutional facilities
Food cooperative	Member-owned, member-controlled food business made up of food producers and consumers. Facilitates the direct sale and purchase of agricultural products between members at a designated store; members may be required to pay an equity investment to join the co-op or work in the store, and in return receive special benefits, such as reduced rates
Other	Restaurants, catering businesses, corner stores, bodegas, mobile food carts, and small and larger grocery stores

Table 2.2. *Urban agriculture infrastructure*

TO: PLAN COMMISSION
RE: COMPREHENSIVE PLAN INTERIM UPDATE
Legistar #80281

Some of you may be aware of my extensive experience with City of Madison planning processes. I have chaired the Plan Commission, the Community Gardens Committee, the Madison Food Policy Council, and served as interim director of the City's Department of Planning, Community and Economic Development from 2019-2020. Most recently, I chaired the Common Council's Task Force on Farmland Preservation in 2022-23.

I write in support of **Item K** on Staff's List of Proposed Revisions to the City's Comprehensive Plan **adding community gardens and urban agriculture** to the list of appropriate land uses in the Parks & Open Space category on page 25. Madison has made a significant effort to locate (especially) community gardens in publicly owned areas for decades to provide secure land tenure; it is important to both acknowledge and continue this practice.

The parameters for text revisions in the "interim update" process were very restrictive, but the Comprehensive Plan needs **a definition of community gardens**. Consider recommending the definition provided in the Zoning Code be added to the Glossary of Terms (Appendix E).

It is also worth noting that one of the reasons for undertaking the "interim update" process was to acknowledge and incorporate information acquired since 2018 through various planning processes authorized by the City. While most of these updates appear on the GFLU map because of recently adopted neighborhood plans and amendments, the Common Council recently accepted a report from the Task Force on Farmland Preservation that provides important background information, tools and recommendations to guide land use decisions where growing spaces are possible and desired by the community. Building on this report, the City's Subdivision Regulations were revised this summer to include the "preservation of farmland" as one of its purposes, and Economic Division Staff has drafted language to include this criteria in the City's land-banking policy. The "implementation matrix" in the Task Force Report (pages 12-15) also includes recommendations for every chapter of the Comprehensive Plan in the next 10-year update process to acknowledge the important contributions that growing spaces in a broad range of sizes and locations make to our community.

Until then, the Task Force Report provides valuable guidance as you approach land use decisions in the next 5 years until the Comprehensive Plan can more fully reflect these values. Thank you for your consideration.

Nan Fey, 444 West Wilson Street, Madison, WI 53703 11/7/23

Cleveland, Julie

From: Jeff Reinke <jsreinke@yahoo.com>
Sent: Friday, November 3, 2023 5:11 PM
To: Plan Commission Comments
Cc: benjamin.b.neumann@gmail.com; hannah@schneidewend.com; LLC; URBAN ASSETS LLC; abriddell@me.com; yanzel@wysomusic.org; mhuffman@huffmanfd.com; tlna@groups.io; Rummel, Marsha; Bennett, Juliana; president@tenneylapham.org; jbelknap@znet.com; Meagan.elaine@gmail.com; cherylbalazs@gmail.com; l.dilley@hotmail.com; jsreinke@yahoo.com; tacocatcreations@gmail.com; susan@wysomusic.org; mkundinger@strang-inc.com; mhuffman@huffmankeel.com; roger@wysomusic.org; Ben Bouche; James Zradicka; Eric Plautz; Tyler Brovelli; Mayor; Lance McGrath; John Seamon; Nisa Giaquinto; John Shively; Chris Wagner; John Belknap; Randall Wilkins; Tom Klein; Nicholas Schulenberg; Bridget Fraser
Subject: Comments, an article, and a video, for the Comprehensive Plan Interim Update meeting, on Monday, November 13th (?).
Attachments: Ultra-Sustainable Construction Article.pdf

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Greetings to the members of the City's Plan Commission, and others. We hope you are all doing well.

Firstly, we are submitting to you, via a pdf, a short article on advances in building technologies. The article is from the 9-22-2023 edition of *Newsweek* magazine.

This article is a prime example of LEED - Leadership in Energy and Environmental Design. Also, while reading on the Comprehensive Plan Interim Update, we somewhere came upon the statement

(sorry, we are not exactly sure where): these new building technologies will make for "#4 [a] better fit with the predominant uses and development patterns in the surrounding area."

These new technologies can save large amounts of money and energy for developers, construction companies, building owners, and the general population.

Secondly, we are submitting a 13:38 minute Ted Talk on how new buildings are being constructed and built to bring more joy into people's lives. If you will please watch the entire video, you will

see and hear about such buildings. We have an example of such a building, going up right now, here in Madison, Wi. We are referring to the WYSO (Wisconsin Youth Sympathy Orchestra) building,

on the 1100 block of East Washington Avenue.

We encourage the Commissioners and everyone to read the article and view the video. Our hope, intention, and purpose is that Madison will use these technologies and techniques to build more

energy, financial, and people friendly buildings, both now, with the Interim Plan, and indefinitely into the future.

Thank you very much for your time and consideration, of the *Newsweek* article, the video, and our heart-felt comments.

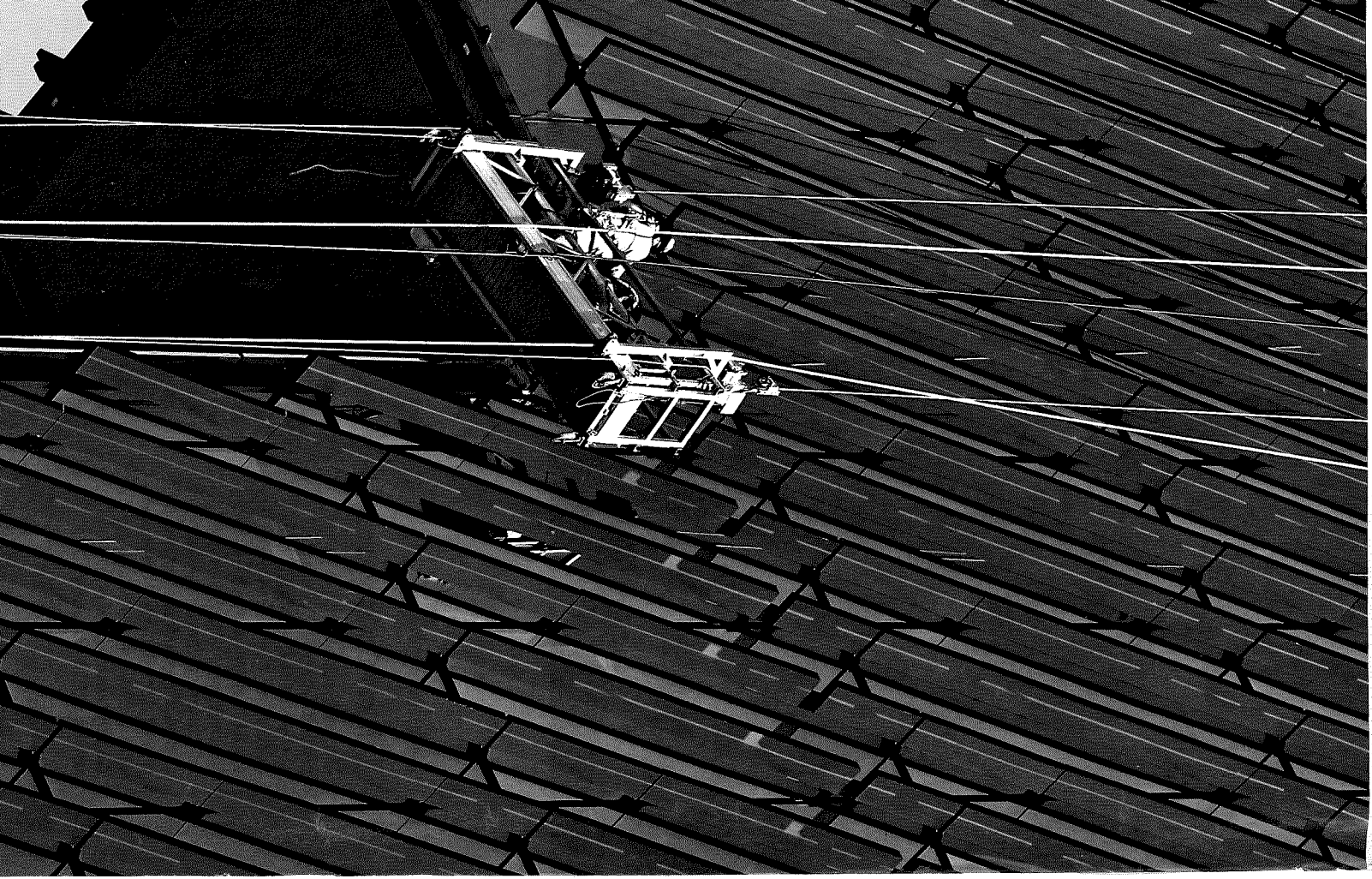
Sincerely,

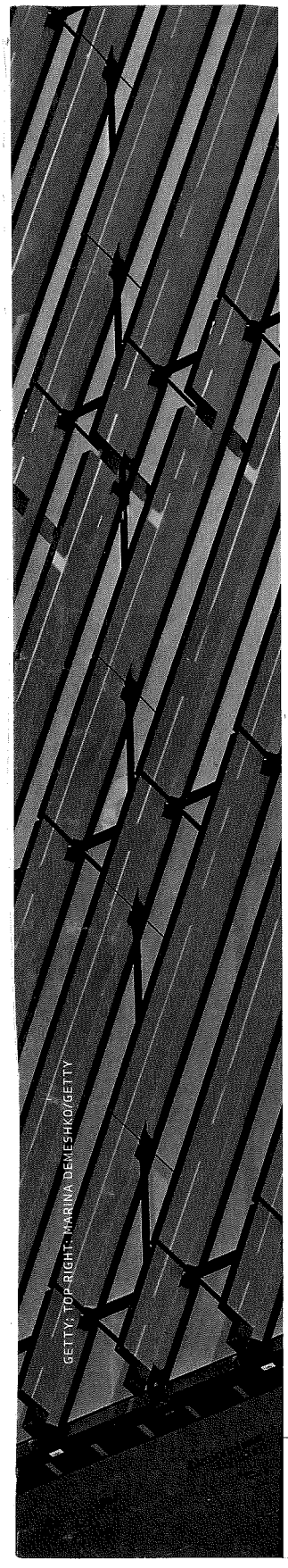
Karen Banaszak and Jeff Reinke

[Where Joy Hides and How to Find It | Ingrid Fetell Lee]



Where joy hides and how to find it | Ingrid Fetell Lee





GETTY; TOP RIGHT: MARINA DEMESHKO/GETTY

CLIMATE

Ultra-Sustainable Construction Goes Mainstream

A new green generation of buildings is hitting goals that were inconceivable 10 years ago—sometimes even improving the environment

by **DAVID H. FREEDMAN**

TRONDHEIM, NORWAY, A CITY OF 180,000 JUST 200 miles from the Arctic Circle on the coast of the frigid Norwegian Sea, hardly seems an ideal location for harvesting energy from the sun and surrounding environment. But a new 200,000-square-foot office building there is producing nearly half a million kilowatt-hours of renewable energy per year—twice as much as the building uses. The extra energy is powering other nearby buildings and charging electric cars, buses and boats throughout the city.

Highly sustainable buildings have been popping up around the U.S. and the world over the past decade. But now a confluence of new technologies and improving economics, as well as climate-change-inspired government regulation, are leading to the next wave in big construction: ultra-sustainable buildings. This new generation of green buildings is hitting environmental goals that would have seemed inconceivable just 10 years ago—in some cases not just avoiding all harm to the environment, but actually improving it, leading the communities and cities around these buildings down greener paths.

These futuristic-seeming buildings promise to close a yawning gap in the world's efforts to slow climate change and mitigate its harms. About 40 percent of the world's greenhouse gas emissions come from the heating, cooling and lighting of buildings—not including substantial emissions from the construction of conventional buildings. Sharply curtailing these emissions is an essential part of fighting climate change.

Zero Emissions Energy

To appreciate what goes into making an ultra-sustainable building, consider what it took to build the one in Trondheim. The product of a collaboration between

five Norwegian real-estate-industry organizations, the plans called for zero-emissions energy to heat, cool and otherwise power the structure. To get that energy, the developers built solar panels into the building's 31,000 square feet of exterior skin and pumped in what scant heat could be wrung from the nearby ocean waters. The result was the "Powerhouse Brattørkaia" building, finished in 2019, and now a model of how buildings can push out more clean energy than they consume.

Another ultra-sustainable building that's boosting community energy is the PAE Living Building in Portland, Oregon, designed by ZGF Architects as an office building. It relies on insulation and ventilation to reduce energy consumption by 80 percent compared to typical office buildings and collects and treats rainwater to meet the building's water needs. Because of limited space for solar panels, it couldn't generate all of its energy needs onsite. To make up the difference, it paid a nearby low-income housing project to install solar panels that generate enough electricity to power both the building and the housing project. "It makes sense to look at energy production from a regional point of view, rather than just in each individual building alone," says Kathy Berg, a principal at ZGF, which has been involved in a number of ultra-sustainable projects.

The motivation to use ultra-sustainable ideas in new commercial development—as well as to retrofit existing buildings to make them more sustainable—is economics. The costs of green technologies have been rapidly dropping. Solar energy, in particular, is becoming a better and better deal, falling in price about 10 percent a year, according to the U.S. Department of Energy. Renewable energy is becoming the smarter choice economically," says David Orr, a professor emeritus at Oberlin College and one of the pioneers of ultra-sustainable building design: "Anyone who buys a building that isn't solar-powered is just wasting their money." Regulators at local, state and federal levels are also demanding greener buildings.

"Anyone who buys a building that isn't solar-powered is just wasting their money."

Net Energy Positive

Making a building "net energy positive"—that is, capable of producing more renewable energy than it uses—is getting easier thanks in part to big improvements in solar panels. Panels today produce about 50 percent more electricity per square foot than they did 10 years ago, and experimental versions are already doubling today's output. Some new rooftop panels further boost output by capturing reflected light from the roof itself, as well as direct sunlight.

Thanks to advances in electronics that make solar-energy-generating components thinner and lighter, as well as materials innovations that can hide the components behind attractive, translucent coatings, these

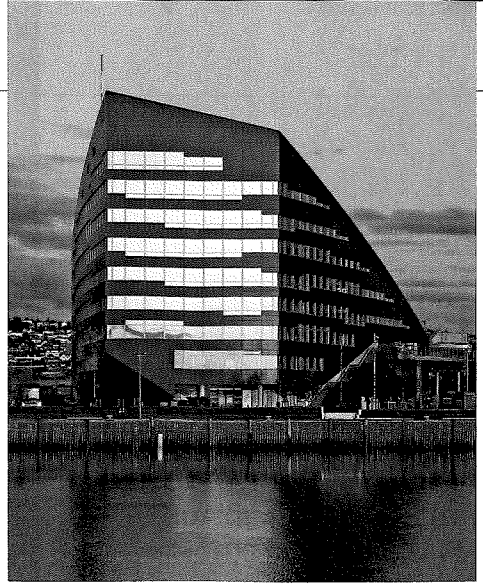


SNØHETTA

components can now be built into the panels that make up a building's outer skin, and they can be retrofitted into older buildings. In the German town of Bochum, a 12-unit apartment building that dates back to the 1930s was updated with solar skin panels that now supply the building's 45-kilowatt-hour-per-square-foot electricity consumption—with plenty of energy left over to pump back into the local grid.

Another rapidly improving energy-gathering technology is heat pumps, which enlist a circulating gas that is expanded and compressed in a way that grabs heat from outside air, soil or water—even if it's cold—and releases it indoors. (Reversing the process provides cool air during the summer.) Heat pumps had long been useless in colder regions, but the best ones today rely on new types of gases and more powerful compressors to work in below-zero temperatures. Because they run on electricity from the grid, rather than from burning natural gas, they save on emissions, and they are typically four times more efficient than conventional electric heat. Boston University's new computing and data science center, a 300-foot-tall, 345,000-square-foot tower that opened last year, depends entirely on heat pumps to get through the city's often-brutal winters.

Producing energy is only half the recipe for ultra-sustainability in new buildings or to bring higher levels of sustainability to existing buildings, says ZGF's Berg. "Energy generation is really the second step," she says. "The first step is to reduce the amount of energy the building needs." For starters, that means state-of-the-art insulation to keep heat in or out and efficient LED lighting—steps that are now the rule in new buildings and being retrofitted into many older ones. Further reductions are being made with special design features for managing sunlight and ventilation. For example, these features were instrumental in achieving the low energy needs of the new California Air Resources Board headquarters building designed by ZGF. To maintain comfortable indoor temperatures, motorized shades regulate sunlight entering the building through its giant skylights, and fans move air from cooler to warmer areas. To go even further, notes Berg, some buildings are now being designed to capture prevailing winds as natural ventilation systems.



ENERGY PRODUCER Trondheim's Powerhouse Brattørkaia, above. A bird's-eye view of solar panels on the building's roof, opposite.

Building Smarter

Electronic smarts are playing an increasingly large role in ultra-sustainability, too, both in a wide range of new buildings and in updating older buildings. Often at the heart of smart building systems are sensors that track where people are in a building—and where they aren't. "The heating and cooling systems can find out there's nobody on the fourth floor, and dramatically cut back on the heated or cooled air that's being sent there, as well as on the lighting," says Katie McGinty, chief sustainability officer at Johnson Controls, which produces smart building systems. "Cars today are computers on wheels, but until now too little of that digitization has made its way into buildings."

In addition, smart buildings, whether old or new, can monitor minute-to-minute price changes on the electric power grid and adjust heating and cooling timing to take advantage of dips and spikes in the price. As more building occupants plug in electric vehicles, notes McGinty, the buildings can even look for opportunities to sell some of the available battery power in the EVs back to the grid at peak prices, recharging them when prices drop. And if there's solar power onsite, a building can work that into the mix, too, storing some of the solar electricity in batteries when it's sunny, and using it or selling it to the grid when it's cloudy or prices go back up.

Because adding highly efficient solar panels, heat pumps and insulation enables new and retrofitted buildings to generate more green energy than they consume, they're in a position to provide the excess to others. Many already do that by selling the excess to the grid, helping the grid reach its own renewable energy goals. Increasingly, buildings are striking deals that enable more direct green-energy sharing with neighboring buildings and facilities, as the Powerhouse building in Trondheim did.

As prices continue to fall, ultra-sustainability measures are expected to continue to gain ground among developers of all sizes and budgets, making buildings more of a climate asset than a liability.

▸ **David H. Freedman** *is a freelance science journalist and author. Follow him on X @dhfreedman*

September 28, 2023

City of Madison Plan Commission
210 Martin Luther King Jr. Blvd.
Madison, WI 53703

Re: GFLU Map Amendment Request – 3978 Schewe Road and 10122 White Fox Lane

Dear Members of the City of Madison Plan Commission:

I am writing again to ask for your support for an amendment to the Generalized Future Land Use (GFLU) map for a six-acre property that I own at the northeast quadrant of the intersection of White Fox Lane and Schewe Road on the Far West Side of Madison (the street address of this site is 3978 Schewe Road and 10122 White Fox Lane). My Amendment Request was listed as #1, 2 and 3 on the list of amendment requests that the City's planning staff received and published on the City's website. I previously submitted a letter to the Plan Commission and also spoke during public comments at the Plan Commission meeting on September 7, 2023. My letter to the Commission was included as Attachment #8 (Public Comment 9-3-23) if you care to review it.

At the Plan Commission meeting on September 7th, several Commissioners expressed interest in discussing my Amendment request at the follow-up meeting on September 18th. At that meeting, Brian Grady of the City's planning staff, when discussing our property, seemed to be open to the idea of changing the GFLU designation from its current "Low Residential" status to the "Low-Medium Residential" category. While I had previously requested that a portion of our site also be changed to "Medium Residential" on the GFLU map, I now agree with Mr. Grady that the Low-Medium Residential designation is probably more appropriate for this property given the context of the site near newly built single-family homes in the adjacent Eagle Trace and Chapel View subdivisions.

For your reference, I have attached a copy of three maps included in the 2018 Elderberry Neighborhood Plan Amendment found on the City's website. Our property is shown on these three maps highlighted in bright green.

The first map shows major streets in the Elderberry Neighborhood, listed as either "Arterials" (which are Old Sauk Road to the North, Mineral Point Road to the South, and Pleasant View Road to the East), or as "Collectors", which feed into the Arterials from smaller neighborhood streets. As noted on this map, both White Fox Lane and Schewe Road are shown as Collector Streets, and our property is bordered by both. Almost every other similar intersection of two Collector Streets in the Elderberry Neighborhood has an area of "Low-Medium" or "Medium" Residential directly adjacent to it at that intersection, so there is clear precedent for our request for Low-Medium Residential at our site. Also, our property on Schewe Road is the closest area to the newly built Pope Farm Elementary which opened in 2020 (after the most recent Comprehensive Plan was approved in 2018), making this a very walkable location to the school for multifamily residents who can't afford the single-family homes in the neighborhood, which are now valued between $500,000 and $1+ million within a 1-mile radius of our property.

The second map shows existing and planned bike paths that run through the neighborhood. Again, our property (highlighted in bright green) is completely surrounded by bike paths which actually now exist, making the location very accessible to the Pope Farm Elementary School as well as other nearby recreational amenities including Eagle Trace Park, Pope Farm Conservancy, and Pioneer Park.

The third map shows "Potential Transit Routes" and "Potential Transit Streets" in the Elderberry Neighborhood. As indicated, Schewe Road is shown as a "Potential Transit Street". While I recognize that it may be years before public transit extends to this location, it is important to recognize that this location at the intersection of two Collector streets may one day in the future have transit access and therefore is appropriate for higher density than the "Low Residential" category.

Finally, I'd like to point out that to the west of our property, the intergovernmental agreement between the City of Madison and the Town of Middleton prohibits density greater than 4 housing units per acre within a quarter mile of Pioneer Road. In other words, it will be impossible to add any significant density in this area of the Elderberry Neighborhood west of our property in the future.

At a time when the City of Madison is suffering from a severe shortage of affordable housing options for its rapidly growing population, the City should be looking for locations exactly like our property where increased density makes the most sense. Instead, it seems that the Planning staff is content to wait another five years for the next Comprehensive Plan update before seriously considering a change to our site's GFLU category. They make the argument that since the Elderberry Neighborhood Plan was last updated in 2018, it is too early to make any changes like we have requested.

I truly appreciate the work that the City's professional planning staff produces every day, but I reject that approach. If anything, I believe that the peripheral areas of the City should be reviewed much more frequently than every 5 or 10 years, since these are the areas of the City where open land still exists and can more quickly be adapted to the changing needs of the City. Accordingly, I am asking you to support our request for an amendment to the GFLU map by recommending a change to the "Low-Medium" residential category for our six-acre parcel. I would also welcome you to visit the property and surrounding neighborhood to see for yourself why this requested Amendment for "Low-Medium" Residential makes perfect sense, especially in the context of the rapid growth and diminishing availability of sites like this to provide much needed middle-income housing in the City.

Thank you very much for your consideration, and please feel free to reach out to me with any questions or comments.

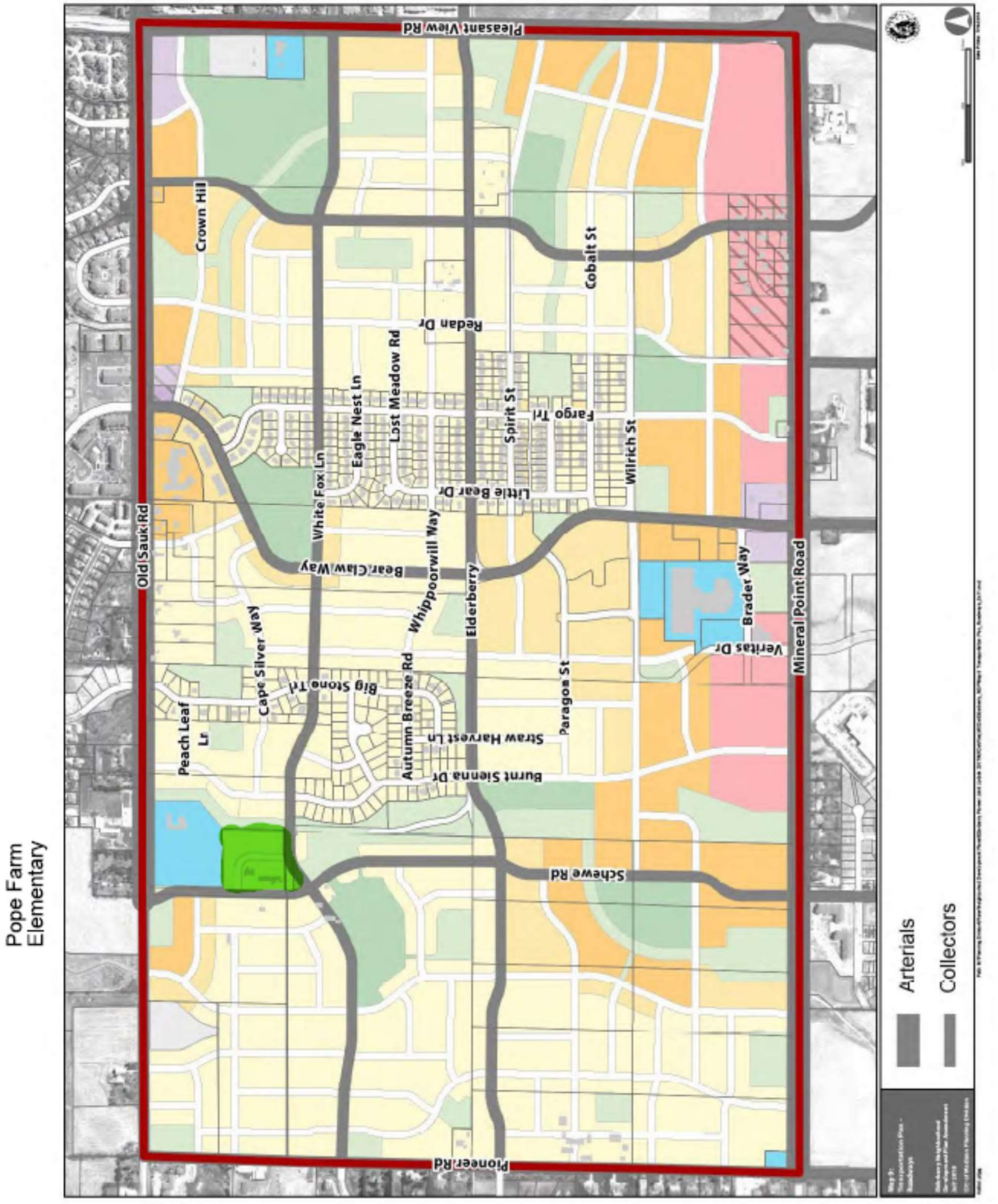
Sincerely,

Randall Eggert

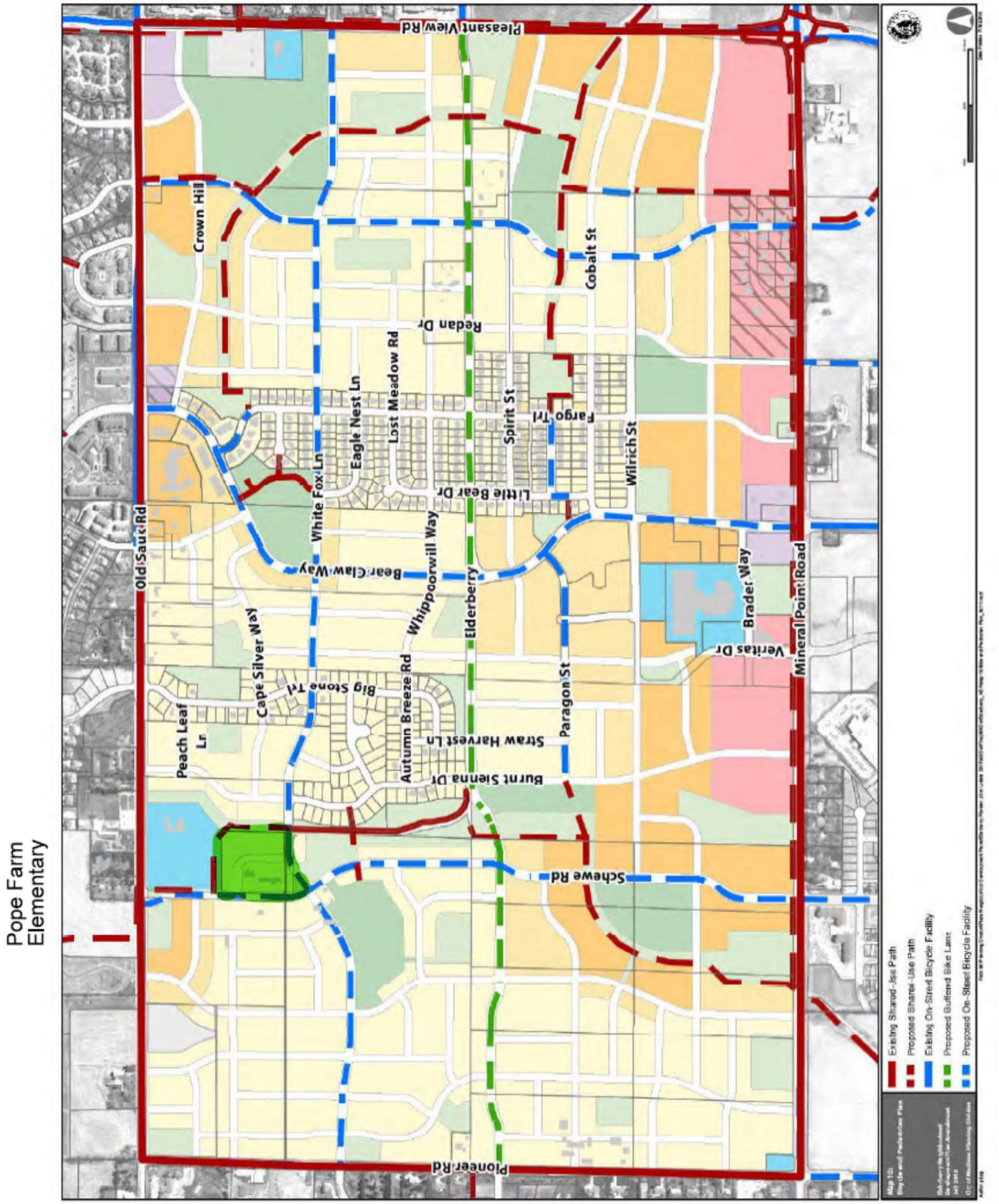
3978 Schewe Road
Middleton, WI 53562
karirand@yahoo.com

cc: Heather Stouder, City of Madison Planning Division Director
Brian Grady, City of Madison Principal Planner
Kirstie Laatsch, City of Madison Planner

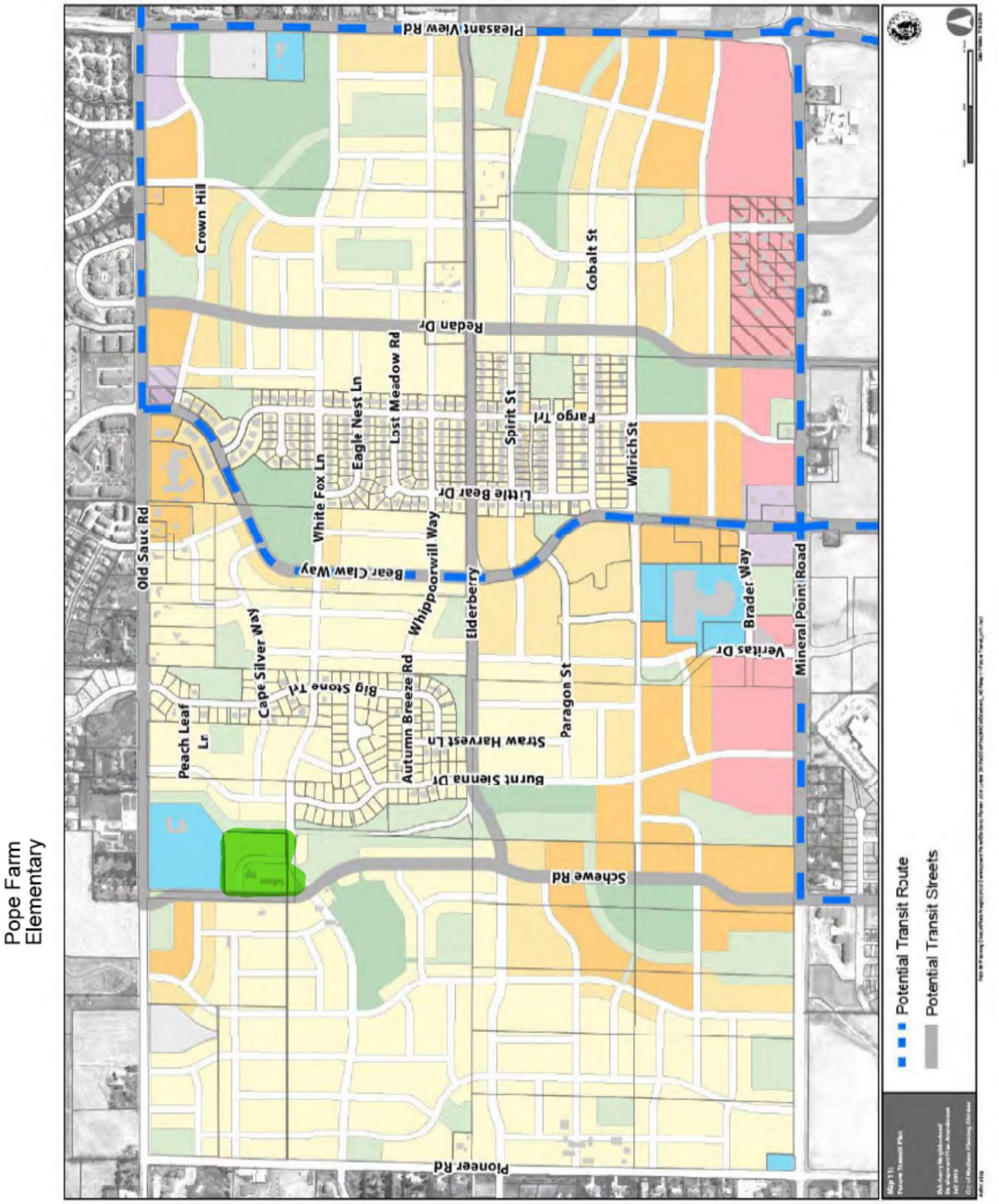
Arterials and Collector Streets – 2018 Elderberry Neighborhood Plan



Bicycle and Pedestrian Plan – 2018 Elderberry Neighborhood Plan



Future Transit Plan – 2018 Elderberry Neighborhood Plan



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80569

File ID:	80569	**File Type:**	Report	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	Police Department
				File Created Date :	10/26/2023
File Name:	Chief of Police 3rd Quarter Report: Chief Shon F. Barnes, Madison Police Department			**Final Action:**	
Title:	Chief of Police 3rd Quarter Report: Chief Shon F. Barnes, Madison Police Department				
Notes:					
Sponsors:				**Effective Date:**	
Attachments:	Quarterly Report 2023 3rd.pdf			**Enactment Number:**	
Author:				**Hearing Date:**	
Entered by:	lwindsor-engnell@cityofmadison.com			**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Council Office	10/26/2023	RECOMMEND TO COUNCIL TO ACCEPT - REPORT OF OFFICER				
	Action Text:	This Report was RECOMMEND TO COUNCIL TO ACCEPT - REPORT OF OFFICER					

Text of Legislative File 80569

Title
Chief of Police 3rd Quarter Report: Chief Shon F. Barnes, Madison Police Department

CITY OF MADISON

INTER-DEPARTMENTAL

CORRESPONDENCE

DATE: November 13, 2023

TO: All Alders

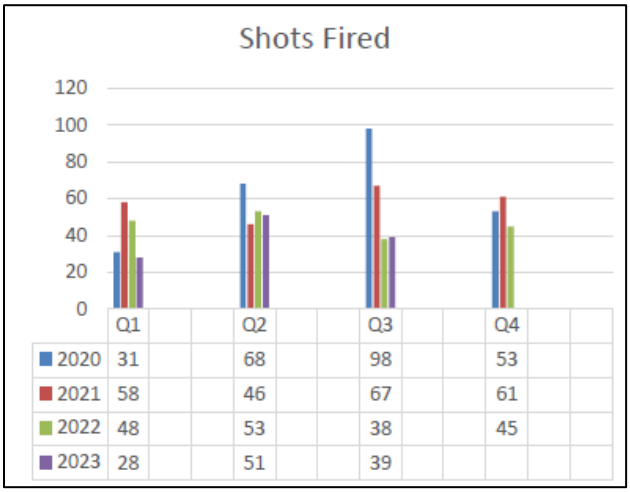
FROM: Shon F. Barnes, Chief of Police

SUBJECT: Quarterly Report

This document provides an update on selected MPD topics for the third quarter (July, August, and September) of 2023. **Please consider the data included in this update as preliminary and subject to modification.**

Significant Incident Types

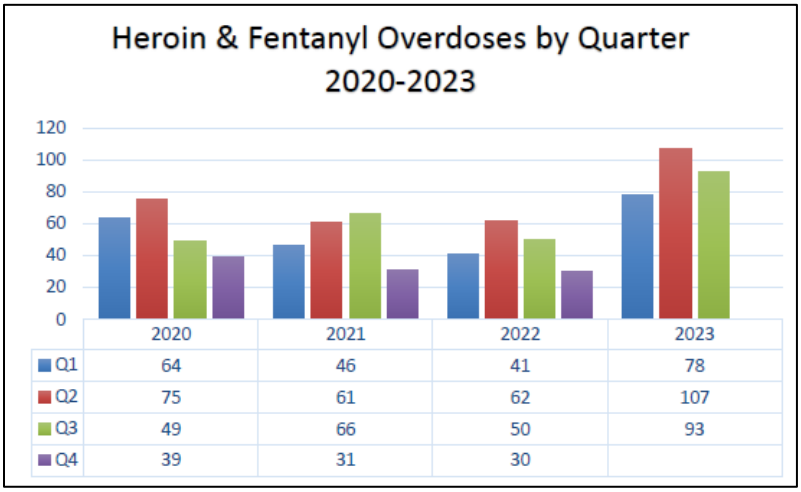
Shots Fired – there were thirty-nine (39) shots fired incidents in the City from July 1st through September 30th (2023). This is a **3% increase** from the third quarter of 2022 where there were thirty-eight (38) shots fired incidents. The 3-year average (3rd quarter) of shots fired incidents is sixty-eight (68). The thirty-nine (39) shots fired in Quarter 3 of this year is a **42% decrease** over the previous 3-year average.



	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Total
Property Damage	5	14	9		28
Subjects Struck by Gunfire*	4	6	9		19
Accidental Discharge	1	3	1		5
Self-Inflicted (intentional)	3	1	2		6
Casings Recovered	71	98	196		365

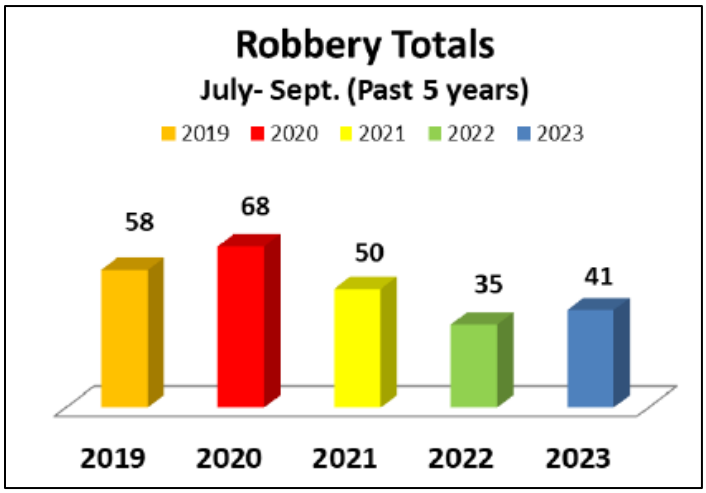
*Excludes accidental discharge & self-inflicted

Heroin Overdoses – MPD responded to ninety-three (93) known heroin overdoses during the third quarter of 2023. This is an **86% increase** from the third quarter of 2022 where we responded to fifty (50) known heroin overdoses. The 3-year average (3rd quarter) of known heroin overdoses is fifty-five (55). The ninety-three (93) known overdoses in Quarter 3 of this year is a **69% increase** over the previous 3-year average. Note that these figures refer to known overdoses…it is likely that many overdoses are occurring without any report to MPD or MFD.

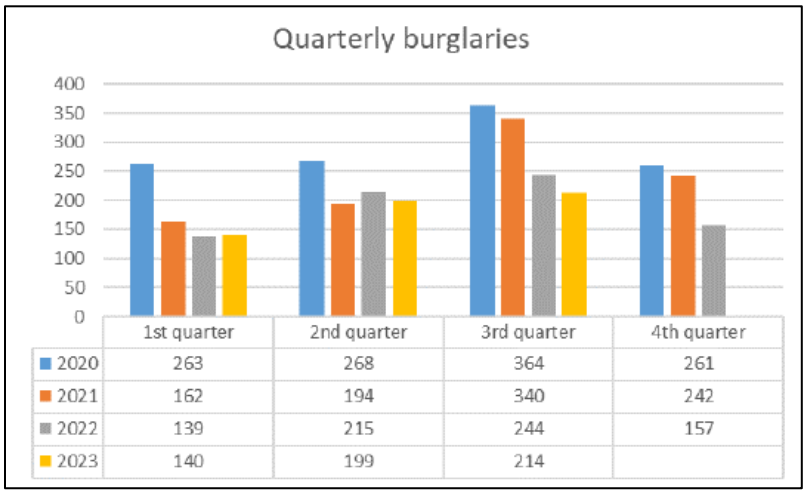


There were ten (10) suspected overdose deaths during the third quarter of 2023. This is a **29% decrease** from the third quarter of 2022 where there were fourteen (14) overdose deaths. The 3-year average (3rd quarter) of overdose deaths is ten (10). The ten (10) suspected overdose deaths in Quarter 3 of this year is a **3% decrease** the previous 3-year average. [note that these figures only include overdose deaths with police involvement and clear evidence of an overdose; the actual figure may be higher].

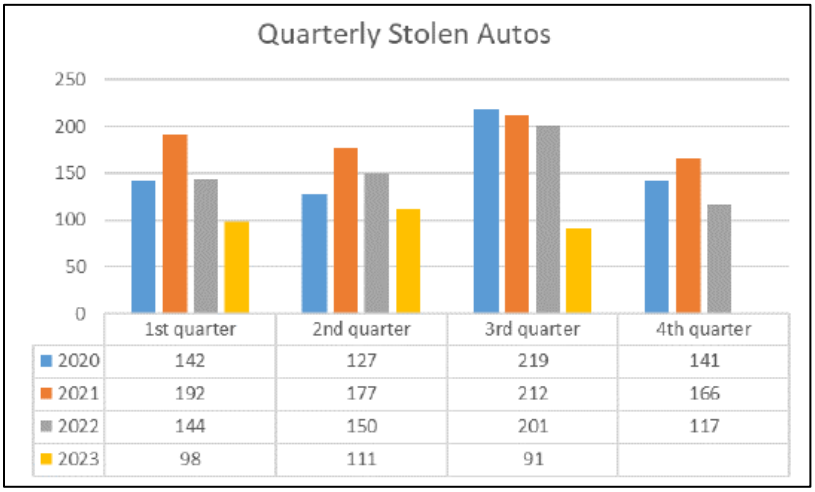
Robberies – Forty-one (41) robberies occurred in the City during the third quarter of 2023. This is a **17% increase** from the 3rd quarter of 2022 where there were thirty-five (35) robberies. The 3-year average (3rd quarter) of robberies is fifty-one (51). The forty-one (41) robberies in Quarter 3 of this year is a **20% decrease** from the previous 3-year average.



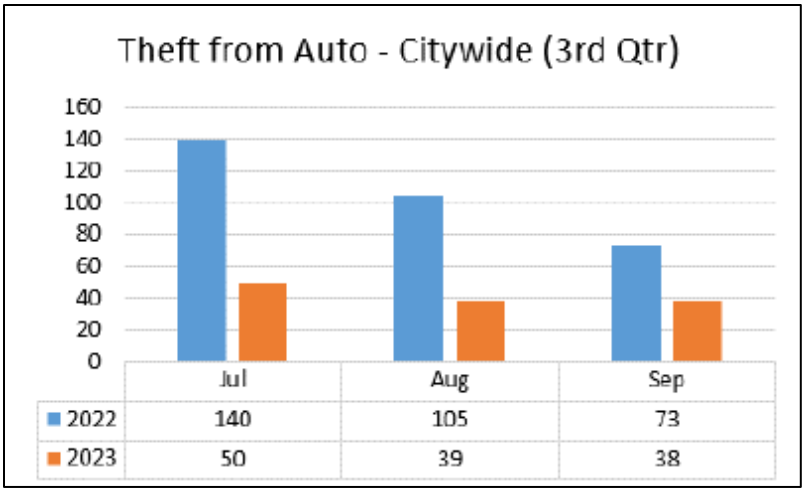
Burglaries – MPD responded to 214 burglaries during the third quarter of 2023. This is a **12% decrease** from the third quarter in 2022 where we responded to 244 burglaries. The 3-year average (3rd quarter) of burglaries is 316. The 214 burglaries in Quarter 3 of this year is a **32% decrease** over the previous 3-year average.



Stolen Autos – MPD investigated 91 stolen autos during the third quarter of 2023. This is a **55% decrease** from the third quarter in 2022 where we investigated 201 reports of stolen autos. The 3-year average (3rd quarter) of stolen autos is 210. The 91 stolen autos in Quarter 3 of this year is a **57% decrease** over the previous 3-year average.



Thefts from Vehicles – MPD investigated 127 thefts from vehicles during the third quarter of 2023. This is a **60% decrease** from the third quarter in 2022 where we received 318 reports of thefts from vehicles. The 3-year average (3rd quarter) of thefts from vehicles is 415. The 127 thefts from vehicles in Quarter 3 of this year is a **70% decrease** over the previous 3-year average.



Arrest Data

Third quarter arrest data:

Sex	Q1	Q2	Q3	Q4	Total	%
Male	1,525	1,720	1,634		4,879	71.5%
Female	507	744	690		1,941	28.5%
Unknown	0	0	1		1	0.0%
Total	**2,032**	**2,464**	**2,325**		**6,821**	**100.0%**

Race	Q1	Q2	Q3	Q4	Total	%
Asian	31	35	27		93	1.4%
African-American	990	1,006	1,071		3,067	45.0%
Native American	11	8	11		30	0.4%
Other	66	89	77		232	3.4%
Caucasian	934	1,326	1,139		3,399	49.8%
Total	**2,032**	**2,464**	**2,325**		**6,821**	**100.0%**
Hispanic*	177	197	214		588	8.6%

*"Hispanic" is not a racial designator used for UCR/IBR crime reporting purposes. However, it is an ethnicity collected and tracked in MPD's records management system, in addition to race. These arrest figures are based on that data. Each arrested person with a Hispanic ethnicity will also have a race indicated (from the above options) and reflected in MPD's crime reporting.

IBR Arrest Charges						
Group A Offenses	**Q1**	**Q2**	**Q3**	**Q4**	**Total**	**%**
Animal Cruelty	3	3	4		10	0.1%
Arson	0	1	2		3	0.0%
Assault Offenses	391	418	418		1,227	10.6%
Bribery	0	0	0		0	0.0%
Burglary	54	32	32		118	1.0%
Counterfeiting/Forgery	4	5	12		21	0.2%
Damage to Property	104	136	156		396	3.4%
Drug/Narcotic Offenses	192	216	233		641	5.5%
Embezzlement	5	4	7		16	0.1%
Extortion	2	0	0		2	0.0%
Fraud Offenses	37	26	22		85	0.7%
Gambling Offenses	0	0	0		0	0.0%
Homicide Offenses	3	3	8		14	0.1%
Human Trafficking Offenses	0	0	0		0	0.0%
Kidnapping/Abduction	28	27	22		77	0.7%
Larceny/Theft Offenses	186	231	192		609	5.3%
Motor Vehicle Theft	46	50	50		146	1.3%
Pornography/Obscene Material	5	7	11		23	0.2%
Prostitution Offenses	0	0	0		0	0.0%
Robbery	20	20	20		60	0.5%
Sex Offenses, Forcible	27	22	25		74	0.6%
Sex Offenses, Non-Forcible	2	0	0		2	0.0%
Stolen Property Offenses	3	16	13		32	0.3%
Weapon Law Violations	61	71	63		195	1.7%
Group B Offenses	Q1	Q2	Q3	Q4	Total	%
Bad Checks	0	0	3		3	0.0%
Curfew/Loitering/Vagrancy Violations	5	0	0		5	0.0%
Disorderly Conduct	643	744	823		2,210	19.1%
Driving Under the Influence	145	145	150		440	3.8%
Drunkenness	0	0	0		0	0.0%
Family Offenses, Nonviolent	22	36	19		77	0.7%
Liquor Law Violations	34	226	229		489	4.2%
Peeping Tom	0	1	0		1	0.0%
Runaway	0	0	0		0	0.0%
Trespass of Real Property	208	271	164		643	5.5%
All Other Offenses	1,255	1,381	1,336		3,972	34.3%
Total	**3,485**	**4,092**	**4,014**		**11,591**	**100.0%**

* More than one charge may be connected to an arrest.

Note that the first table reflect persons arrested, and the second table reflects charges. Some arrested persons are charged with multiple offenses, so the totals will not match.

Comparison of 2022 to 2023 third quarter arrest data:

Sex	2022 (Q3)	2023 (Q3)
Male	1,641	1,634
Female	619	690
Unknown	1	1
Total	**2,261**	**2,325**

Race	2022 (Q3)	2023 (Q3)
Asian	43	27
African-American	1,046	1,071
Native American	13	11
Other	50	77
Caucasian	1,109	1,139
Total	**2,261**	**2,325**
Hispanic*	**181**	**214**

*"Hispanic" is not a racial designator used for UCR/IBR crime reporting purposes. However, it is an ethnicity collected and tracked in MPD's records management system, in addition to race. These arrest figures are based on that data. Each arrested person with a Hispanic ethnicity will also have a race indicated (from the above options) and reflected in MPD's crime reporting.

Use of Force Overview

During the third quarter of 2023, MPD officers responded to 39,531 calls for service. In that time, there were ninety-four (94) contacts in our community in which officers used recordable force during the encounter. This means that in the 3rd quarter, MPD officers used recordable force 0.24% of the time when engaging with members in our community. Each of these force incidents was reviewed for compliance with MPD standard operating procedures.

Description	Q1	Q2	Q3	Q4	Total
Calls for Service	33,173	39,943	39,531		112,647
Contacts Where Force Was Used	74	94	111		279
% of CFS Where Force Was Used	0.22%	0.24%	0.28%		0.25%
Force					
Decentralization/Takedown (e.g. officer pushing or pulling a subject to the ground)	51	77	79		207
Active Counter Measures (e.g. officer striking a subject with hand, forearm, foot or knee)	22	19	19		60
Taser Deployment	9	10	14		33
Hobble Restraints (a belt system that restricts a subject's ability to kick at officers, squad windows, etc.)	9	9	8		26
OC (i.e. Pepper) Spray Deployment	3	7	20		30
Baton Strike	0	0	0		0
K9 Bite	0	3	4		7
Firearm Discharged Toward Suspect	1	0	0		1
Impact Munition (firearm delivered projectile launched at a lower than normal velocity)	1	0	2		3
Specialty (SWAT/SET)	0	0	0		0

Total	**96**	**125**	**146**		**367**
Firearm Discharged to Put Down a Sick or Suffering Animal	9	21	20		50

*Please refer to the MPD SOP on use of force data collection for the definition of recordable force and distinction between reportable and recordable use of force:
http://www.cityofmadison.com/police/documents/sop/UseOfForceData.pdf

Third quarter use of force data by MPD district and time of day:

District*	Q1	Q2	Q3	Q4	Total	%
West	8	6	10		24	8.6%
Midtown	17	12	13		42	15.1%
South	7	10	7		24	8.6%
Central	19	30	39		88	31.5%
North	6	14	21		41	14.7%
East	16	20	20		56	20.1%
Out of County	0	0	0		0	0.0%
Within County - Assist	1	2	1		4	1.4%
Total	**74**	**94**	**111**		**279**	**100%**

Time of Day/Patrol Shift	Q1	Q2	Q3	Q4	Total	%
1st Detail (7am – 3pm)	16	15	18		49	17.6%
3rd Detail (3pm – 11pm)	31	36	37		104	37.3%
5th Detail (11pm – 7am)	27	43	56		126	45.2%
Total	**74**	**94**	**111**		**279**	**100.0%**

Comparison of third quarter 2022 with third quarter 2023 use of force data:

Force	2022 (Q3)	2023 (Q3)
Decentralization/Takedown	51	79
Active Counter Measures	21	19
Taser Deployment	7	14
Hobble Restraints	11	8
OC (i.e. Pepper) Spray Deployment	17	20
Baton Strike	0	0
K9 Bite	1	4
Firearm Discharged Toward Suspect	0	0
Impact Munition	4	2
Specialty (SWAT/SET)	0	0
Total	**112**	**146**

Restorative Justice Data (3rd Quarter, 2023)

<table>
<tr><th>12-16 Year Old Youth Data from YWCA</th><th>17-25 Year Old Data from CRC</th></tr>
<tr><td>Total referrals issued: 50
Opted-in: 25
Opted out: 6
Neither: 6 (these referrals voided due to defendant's age or per officer)
Waiting for Opt-in/Opt-out: 13

Offenses:
• Retail Theft: 3
• Theft: 5
• Trespass: 5
• Disorderly Conduct: 12
• Damage to Property: 2
• Battery: 1
• Resist Or Obstruct: 10
• Underage Possess/Consume off Licensed Premise: 5
• Casual Possession of THC in Public Place: 1

2021 Updates (From what was resent to the Y on November 11, 2022)
* No update

2022 Updates (Cases past their 6 Month Deadline – From what was sent to the Y on January 13, 2023)
* No update</td><td>Referrals from July 1st to September 30th, 2023

Total MPD Referrals = 40

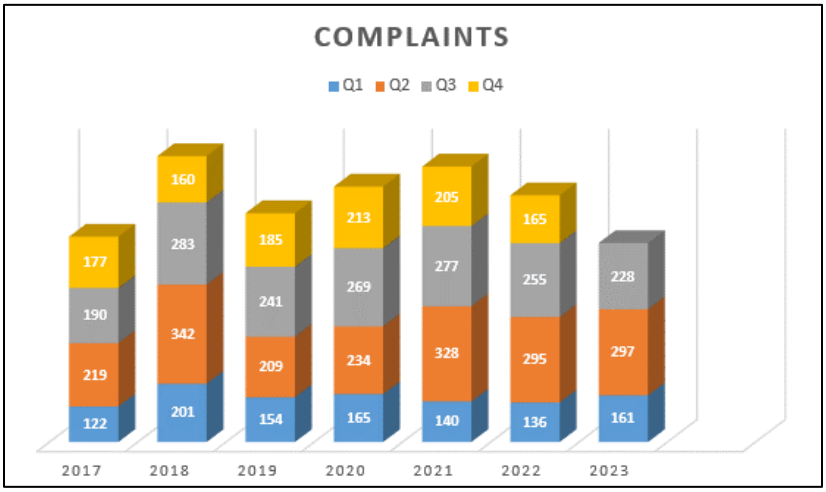
Total MPD Referrals by Offense Type = 44
*Total is more than 40 due to Clients with more than one citation.
• Direct Referrals = 1

Offenses:
<table><tr><td>Municipal - Battery</td><td>1</td></tr><tr><td>Municipal - Damage to Property</td><td>1</td></tr><tr><td>Municipal - Disorderly Conduct</td><td>28</td></tr><tr><td>Municipal - Resisting/Obstructing</td><td>3</td></tr><tr><td>Municipal - Retail Theft/Shoplifting</td><td>6</td></tr><tr><td>Municipal – Theft</td><td>3</td></tr><tr><td>Municipal - Retail Theft – (PTAC)</td><td>1</td></tr><tr><td>Municipal – Theft – by virtue of employment (direct referral)</td><td>1</td></tr><tr><td>Total:</td><td>44</td></tr></table></td></tr>
</table>

Traffic

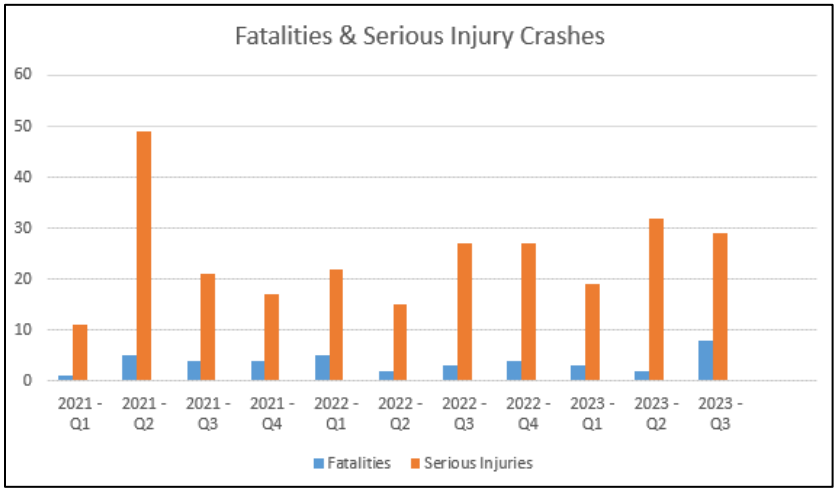
Traffic Complaints –

Community members may submit a traffic complaint or concern to the Madison Police Department by utilizing online submissions or calling the Speeder's Hotline (608-266-4822. In the 3rd quarter of 2023, MPD received 228 traffic complaints.



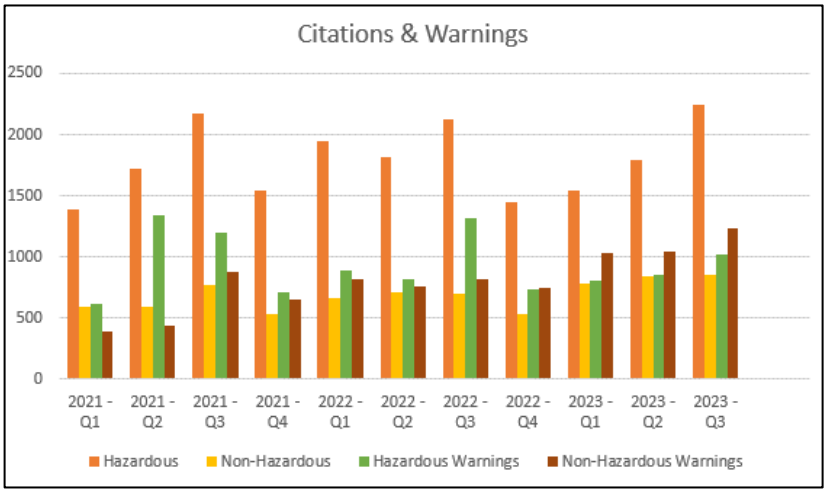
Serious/Fatal Crashes

In the 3rd Quarter of 2023, MPD investigated 746 crashes that resulted in 8 fatalities, 29 serious injuries and 175 minor injuries.



Enforcement

Overall traffic citations include those issued by MPD personnel pursuant to traffic stops and crash investigations, those issued by Traffic Enforcement Safety Team (TEST) personnel, and those issued during traffic grant overtime deployments. MPD has five primary goals in traffic enforcement:



1. Focus on the High Injury Network (HIN): East Washington Avenue, the Beltline, and Mineral Point Road
2. Focus on Hazardous Moving Violations
3. De-emphasize Non-Hazardous Violations and Support Alternative Outcomes (i.e., Warnings)
4. Support School Zone Safety
5. Respond to Community Member Complaints

Training

In the third quarter of 2023, MPD is nearly complete with our Fall Professional Development for all commissioned personnel. This training evolution consisted of handgun, rifle and 40mm launcher qualifications, scenario-based instruction, constitutional law update and a health and wellness session on the topic of officer suicide. Our pre-service academy recruits are nearing the end of phase three and will graduate from the academy on November 16, 2023. They will then enter three months of field training before joining a district as probationary police officer in February. We are making final preparations for an accelerated academy of lateral candidates to being on November 29th. Our updated 2024 promotional process is now underway for the ranks of Sergeant, Detective and Investigator and we will soon announce the promotional process for the rank of Lieutenant.

SOP Updates

A number of MPD SOPs were updated during the quarter. Copies showing the changes are attached to this memo as an appendix. Note that all MPD SOPs are reviewed regularly, with the most critical SOPs being reviewed annually. This process typically results in additional SOP changes/updates.

MPD posts drafts of new/revised SOPs on our website before final implementation, to allow for public review and comment.

Defense Logistics Agency/Law Enforcement Support Office (10-33 program)

MPD did not acquire any property through DLA/LESO during the third quarter of 2023.

Priority/emergency call response

During the third quarter, there were 144 instances where MPD's patrol response was limited to emergency and priority calls. Note that some of these instances did not impact citywide response but were limited to a particular district or area of the City.

The 144 instances occurred on 81 (eighty-one) dates (some days required limited call response multiple times); this means that at some point on about 88% of the days during the third quarter MPD patrol response was limited. The 144 instances spanned about 358.6 total hours of limited call response, an average of 2.5 hours per instance. In terms of total hours during the third quarter, MPD patrol response was limited to emergency and priority calls about 16.2% of the time.

2023 – Third Quarter Promotions

Police Officer Kyle Toberman to Detective
Police Officer Mario Gonzalez to Sergeant
Police Officer Lauren Meverden to Detective

Discipline/compliments (links to quarterly PS&IA summaries)

https://www.cityofmadison.com/police/documents/psiaSummary2023JulSep.pdf

https://www.cityofmadison.com/police/documents/psiaRecognition2023JulSep.pdf

Updated/New SOPs for MPD: July-September, 2023

Arrest, Incarceration and Bail – Adults: 08/04/2023

Precautionary Measures and Significant Exposure to Infectious Pathogens: 08/07/2023

Notification of Commanding Officers: 08/18/2023

Handling of Evidence, Contraband, Found or Lost Property: 08/21/2023

K9 Use: 09/18/2023

Arrest, Incarceration, and Bail - Adults

Eff. Date ~~02/07/2023~~ 08/04/2023

Arrest Authority

The basic authority for police officers to make arrests derives from Wisconsin State Statute 62.09(13), which makes it a duty for a peace officer to arrest with or without a warrant and with reasonable diligence to take before the court every person found[1] in the city engaged in any disturbance of the peace or violating any law of the state or ordinance of such city.

This authority to arrest is further broadened by Wisconsin State Statute 968.07, which states:

1. A law enforcement officer may arrest a person when the officer:
   a. has a warrant commanding that such person be arrested; or
   b. believes, on reasonable grounds,[2] that a warrant for the person's arrest has been issued in this state; or
   c. believes, on reasonable grounds, that a felony warrant for the person's arrest has been issued in another state; or
   d. has reasonable grounds to believe that the person is committing or has committed a crime.[3]

   1m Notwithstanding sub. (1), a law enforcement officer shall arrest a person when required to do so under s. 813.12 (7), 813.122 (10), 813.125 (6), 813.128 (3g) (b), or 968.075 (2) (a) or (5) (e).
2. A law enforcement officer making a lawful arrest may command the aid of any person, and such person shall have the same power as that of the law enforcement officer.
3. If the alleged violator under s. 948.55 (2) or 948.60 (2) (c) is or was the parent or guardian of a child who is injured or dies as a result of an accidental shooting, no law enforcement officer may arrest the alleged violator until at least 7 days after the date of the shooting.

Enforcement Action Outside of Jurisdiction

Wisconsin State Statute 175.40 empowers a law enforcement officer to take enforcement actions outside of the officer's territorial jurisdiction, within the state of Wisconsin, under certain circumstances. This standard operating procedure (SOP) outlines the circumstances under which Madison Police Department (MPD) officers may intervene while outside of the territorial jurisdiction of the City of Madison and the actions that may be taken.

This SOP applies only to those MPD officers who are on duty at the time of the incident. This SOP does not apply to officers who are off-duty or acting under a mutual aid request.

1. MPD officers may take intervention or enforcement action when:
   a. The officer is on duty and on official business outside of the City of Madison, but within the State of Wisconsin; and
   b. The officer would be authorized to take action if the incident occurred in the City of Madison; and

[1] "Found" or "in the officer's presence" means when officers receive knowledge of the commission of an offense in their presence through any of their senses, or by inferences properly drawn from the testimony of the senses. Usually the officer sees or hears, or both. Following learning that an offense is being committed, the officer must still make good use of the sense of sight in order to identify the specific person committing the offense, arrest the guilty person, and identify same at a later date in court.
[2] "Reasonable grounds" and "probable cause" are used interchangeably and justify an arrest without a warrant when: an officer in good faith believes that a crime has been committed; that the person in question committed it; and when the officer's belief is based on grounds which would induce an ordinarily prudent and cautious person, under the circumstances, to believe likewise. Mere "suspicion" alone is never sufficient to authorize an arrest without a warrant.
[3] "Crime" is conduct that is prohibited by State law and punishable by fine or imprisonment or both. Conduct punishable only by forfeiture is not a crime.

c. The officer is acting in response to:
   i. An emergency situation that poses a significant threat to life or of bodily harm; or
   ii. An act the officer reasonably believes is a felony.

2. MPD officers may take enforcement action including making arrests and issuing citations:
   a. On the entire width of boundary highways and on the entire area of boundary intersections for any violation of either the state criminal code or any City of Madison ordinance.
   b. When in fresh pursuit of a person suspected of having committed a violation of either the state criminal code or any City of Madison ordinance in the City of Madison.

3. Determining appropriate enforcement action includes the following considerations:
   a. This SOP authorizes MPD officers to act as if they were within the territorial jurisdiction of the City of Madison.
   b. When acting under this policy, the officer shall comply with all MPD regulations, policies, and procedures.
   c. The officer shall consider a number of factors when determining the nature and extent of intervention action to be taken. These factors include, but are not limited to, the following:
      i. The nature and particular circumstances of the situation
      ii. The level of threat presented
      iii. Availability of appropriate equipment and personnel
      iv. Officer-Subject factors based on a tactical evaluation
      v. The officer's assignment and whether taking action will significantly compromise that assignment
      vi. Other tactical considerations

4. Range of appropriate action(s) includes the following:
   a. In the case of an emergency situation that poses a significant threat to life or of bodily harm, an officer shall take immediate intervention action to prevent such harm or stabilize the situation, or both. The action may include the following:
      i. Any combination of stopping, detaining, or arresting a suspect;
      ii. The use of force sufficient to control the situation and in compliance with MPD SOPs
      iii. Rendering aid and assistance to victims;
      iv. Identifying and interviewing victims, witnesses, and suspects;
      v. Assisting local law enforcement agency as requested; or
      vi. Taking other action that would be authorized under the same circumstances if the events had occurred in the City of Madison.
   b. When encountering a situation that the officer reasonably believes constitutes a felony, the officer may:
      i. Take immediate intervention action as outlined above; or
      ii. Notify a local law enforcement agency for appropriate intervention.
         (1) In determining the appropriate response, the officer shall consider the immediacy and level of threat presented by the crime.
   c. Under this guideline, an officer may elect to report the incident to local authorities and serve as a witness in a property crime, or the officer may elect to intervene with appropriate force and make an arrest in the case of a personal crime that poses a significant threat to life or of bodily harm.
   d. An officer is not required to take intervention action, even in the case of violent felonies, when doing so will either compromise the officer's current assignment or when circumstances present an unreasonable risk of escape of prisoners in the officer's custody. In such cases, the officer shall, at a minimum, immediately notify local authorities and take whatever action possible while maintaining the security of any prisoners.
   e. When an officer takes action in a circumstance that poses a significant threat to life or of bodily harm, the officer shall:
      i. Notify the local law enforcement authority as soon as practical;
      ii. Assist and cooperate with local law enforcement agencies;
      iii. Notify the officer's supervisor, or the Officer in Charge (OIC) as soon as practical; and

iv. Upon return to the City of Madison, complete a detailed report of the incident and action taken.

f. When in fresh pursuit outside of the City of Madison for an offense committed in the City, an officer may take action as if the officer were in the City. In doing so, the officer shall:
   i. Comply with MPD regulations, policies, and procedures;
   ii. Notify the local law enforcement agency and assist that agency in the investigation of any offenses that occur in that jurisdiction;
   iii. Notify the officer's supervisor or the OIC; and
   iv. Complete reports of the incident as required by MPD policy.

g. When acting on boundary highways or in boundary intersections, an officer is not required to make any notification or take action other than that which is required if the incident occurred entirely within the City. This does not prevent the officer from informing the adjoining jurisdiction as a matter of professional courtesy.

Arrest Screening/Bail

It is the policy of the MPD to have the Officer in Charge (OIC) or a designee screen each custodial arrest before the person is incarcerated.

In view of the fact that the purpose of an arrest is to bring the arrested person before the court to answer to a violation, detention in jail until the next session of court is a lawful act by a police officer. However, as a matter of normal practice, certain procedures have been established that in some cases permit the release of the arrested person before the next session of court.

Bail can be set only by a judge or court commissioner and may be set by a judge or court commissioner endorsing the amount of bail on a warrant at the time of issuance, at the arraignment in court, or by endorsing and issuing a bail schedule in advance.

Felonies

All persons arrested and incarcerated on felony charges will, with reasonable diligence, be taken before the court where only a judge or court commissioner may establish bail.

State Statute Misdemeanor Citations

An officer arresting a person for a misdemeanor charge may elect to incarcerate the arrested person in the Dane County Jail, or may issue a misdemeanor citation without transporting the person to the Dane County Jail or to the City County Building (CCB). The arresting officer shall issue a misdemeanor citation only if all of the following criteria apply:

1. The arrested person is positively identified.
2. The arrested person currently resides in Wisconsin.
3. It appears the arrested person will not continue the behavior forming the basis for the charge.
4. The arrested person poses no apparent threat to persons or property.
5. The arrested person does not have a history of failing to appear at court dates for previous offenses.
6. The offense does not fall under the definition of domestic abuse, as defined by Wisconsin State Statute 968.075(1)(a).
7. The offense does not fall under the following statutes: 813.12(7), 813.122(10), 813.125(6), 813.128(3g)(b), or 968.075(2)(a) or (5(e).

If the above criteria apply, the arresting officer may also convey the arrested person to the Dane County Jail to be booked and released. If the above criteria do not apply, the arrested person will be incarcerated in the Dane County Jail. Any deviations from this policy must be approved by a supervisor.

If the arrested person refuses to sign the citation, the officer shall inform the person of the court date and time and that court appearance is mandatory. The officer shall document these facts in a police report.

City Ordinance Violations (Non-Traffic)

CITATION

Most City Ordinance violations are processed by the issuance of a municipal citation. Officers shall obtain a case number for each incident resulting in the issuance of a citation. The deposit amounts to be used for City Ordinance violations have been established by the City of Madison Common Council and are indicated by ordinance number in the bail schedule pages.

In instances where a citation is appropriate, officers should, in most cases, release the person after the citation has been issued. Officers shall not email the citation to the person(s). An incident report must be completed when the citation resulted from a citizen's complaint or when there is not enough room on the citation to describe the circumstances of the violation.

PHYSICAL ARREST

A custodial arrest of a person found in violation of a City Ordinance is appropriate when a citation has been issued, but:

1. The person involved refuses to cease behavior which is in violation of ordinance; or
2. The officer cannot positively identify the violator; or
3. The violator has no permanent address; or
4. The violator is an out-of-state resident.
5. When approved by the OIC.

Alternatives to Arrest or Citation Issuance

The Madison Police Department can send referrals to Community Restorative Court (CRC), a criminal diversion program for adults aged 17-25 who have committed an eligible offense. Eligible offenses are

- disorderly conduct
- battery
- damage to property
- obstructing
- theft, including retail theft

Commissioned personnel can refer individuals to Community Restorative Court by issuing a municipal citation for any one or a combination of eligible offenses; personnel in the Community Outreach and Resource Education (CORE) unit cross-check all cited persons for CRC eligibility weekly.

Commissioned personnel can also make a direct referral, in which no citation is generated or custodial arrest occurs and the person is referred from the field to Community Restorative Court. All of the following must occur for a direct referral to take place:

a. The officer verifies the individual is not on probation or parole
b. The officer verifies the individual has no open criminal cases in CCAP
c. The officer verifies that the individual has no violent criminal convictions in the past 3 years
d. The officer determines that the charge(s) are eligible; both municipal and misdemeanor iterations of the five eligible charges can be direct referred
e. The officer asks the individual about willingness to participate in a diversion program in lieu of being cited or arrested
f. The officer collects the individual's full identifying information and contact information, and emails the Community Outreach Sergeant about the direct referral by end of shift
g. The officer completes a basket 4 (priority report)

Traffic Violations (City Ordinance or State Statute)

If a person is arrested without a warrant for the violation of a traffic regulation, the arresting officer shall issue a uniform traffic citation. In most cases, the arrested person should then be released.

A custodial arrest for a traffic violation is appropriate when a citation has been issued, but:
1. The officer cannot positively identify the violator; or
2. The violator has no permanent address; or
3. The violator is an out-of-state resident; or
4. The offense is Operating a Motor Vehicle While Intoxicated (OMVWI) related.

Any person physically arrested for a traffic violation, pursuant to this SOP, may be conveyed to the CCB or to the Dane County Jail. There are times when the arrested person may be taken to a medical facility (for a blood draw) and then released to a responsible party from the hospital.

The arrested person shall be released if the person:
1. Makes a deposit under Wisconsin State Statute 345.26 (driver posts on the citation); or
2. Complies with Wisconsin State Statute 345.24 (Officer completes the Release to a Responsible Party form).

A traffic violator who presents a guaranteed bond certificate (as provided for in Wisconsin State Statute 345.61) shall be released from the scene of the stop, provided that the card is not expired, the bail is covered by the guaranteed amount, and the charge is not listed as an exception on the card.

Traffic Warrant Service Guidelines

Persons served warrants who are unable to post bail or who are served bench warrants will be processed in accordance with MPD guidelines, including the officers completing required reports and forms.

1. When a possible traffic or ordinance warrant contact is made, officers will always check with the Public Safety Communications Center Data Terminal Operator to ascertain if the warrant is active.
2. When Court Services personnel are unavailable, the opportunity to post required bail will be afforded. A receipt will be issued for all bail collected. If subject is unable to post, jail booking is required.
3. If bail is posted on a warrant and defendant wishes a court date, the officer will contact the court officer for the next available court date within two working days. Receipt should state that defendant wishes to appear in court.
4. Advise the Public Safety Communications Center Data Terminal Operator of identity of person served with the warrant to ensure removal from the MAPD Wanted Person File.

WHEN SERVING A WARRANT PROCEDURE

1. Read warrant to defendant.
2. If paying, place money, receipt, warrant, and jacket in CCB ticket slot.
3. If defendant is taken to the Public Safety Building, place warrant and jacket in warrant tray.

PROCESSING PHYSICALLY ARRESTED ADULTS

1. Appropriate Booking Forms must be completed prior to processing an arrested person into jail.
2. Prior to transporting an arrested adult to jail, officers shall search the person as a routine security measure to ensure that weapons/contraband are not introduced into the jail environment.
3. When processing an arrested adult or 17 year old:
   a. Conveyance should be made directly to the Dane County Jail UNLESS the arrest is one which requires additional processing, e.g., an intoximeter, an interrogation, a strip

search, to obtain a City of Madison arrest warrant, an extended consultation with OIC reviewing charges.

b. Arresting officer should contact the OIC via the telephone to approve charges and establish bail.
c. The OIC will confirm that the arrested person has been asked medical condition questions and, where appropriate, direct officers to convey the arrested to a medical facility for attention and medical release.
d. If a charge or charges are approved, the arresting officer will ensure completion of booking forms to include the specific charge(s) and established bail and will present this to the jail booking deputy along with the completed Probable Cause (PC) Affidavit.
e. When an arrested person must be medically treated prior to incarceration, officers must obtain the medical clearance form(s) provided by medical staff. After leaving a medical facility, officers will convey the arrested person to the Dane County Jail where the medical clearance forms will be turned over to the jail booking deputy.
f. When an arrested person is taken to a detoxification facility prior to being taken to jail, a police report shall be completed prior to the end of the officer's shift. The Booking Forms and PC Affidavit will be placed in the locked file cabinet at Detox. Officers shall complete the release notification form and leave that form with the nurse at Detox.
g. Copies of the Booking Forms received at the jail are to be returned to the CCB for transfer to Data Control.
h. Seventeen-year-olds arrested only for ordinance violations shall not be incarcerated in the Dane County Jail.
i. Arresting officers will ensure the appropriate entries are made into the SharePoint Arrest log.
j. In the event that SharePoint is unavailable, the arresting officer will obtain a paper form from the OIC and will complete this paper form. The OIC will then forward that paper form to Records.

4. All reports dealing with an arrested person must be completed prior to the officer ending their shift unless permission is granted by the OIC, designee, or supervisor.

Original SOP: 12/14/2015
(Reviewed Only: 12/26/2017, 01/30/2019)
(Revised: 04/02/2018, 01/15/2020, 12/21/2020, 01/14/2022, 02/07/2023, 08/04/2023)

Precautionary Measures & Significant Exposure to Infectious Pathogens

Eff. Date ~~04/26/2019~~ 08/07/2023

Purpose

The procedure of the Madison Police Department (MPD) regarding significant exposure to Human Immunodeficiency Virus (HIV), Hepatitis B virus (HBV), Hepatitis C virus (HCV), and other infectious pathogens in the occupational setting is to offer testing, counseling, and follow-up for employees so exposed in the course of their work for the MPD. This procedure has been developed with consultation with the MPD Medical Director.

Precautionary Measures

Employees performing job tasks where they could reasonably anticipate exposure to blood or other potentially infectious materials are expected to utilize appropriate precautionary measures and keep disposable gloves (nitrile or impermeable) readily available. Gloves should be worn when handling any person, clothing or equipment contaminated with blood or other potentially infectious material, or when the employee anticipates becoming involved in any activity during which they might be exposed to blood or other potentially infectious materials (providing emergency medical treatment, searches of persons or property, etc.). Other precautionary work measures include:

- When employees wear gloves for situations that may expose them to blood or other potentially infectious materials, they should wash their hands with soap and water after removal of the gloves. Antibacterial hand gel may be used if soap and water are not readily available, but washing with soap and water should take place as soon as possible.

- Employees should cover any open breaks in the skin with either clothing or an appropriate bandage. Areas likely to be contaminated should be covered with waterproof dressings.

- If an employee comes into contact with blood or other potentially infectious materials, the area should be washed with soap and water as soon as possible or flushed with water if soap is not available or appropriate. Antibacterial hand gels may be used in addition to this but are not a substitute.

- Needles should not be re-capped; they should be placed in an appropriate container for disposal or property tagging.

- Possibly contaminated sharp objects should not be handled with bare hands.

- Employees should wear an N95 or N100 mask in situations where they reasonably believe an infectious airborne disease could be present. Other protective equipment should be utilized in a manner consistent with the employee's duties and training.

- When anticipating possible exposure to liquid infectious agents, employees should wear protective eyewear (prescription eyewear, goggles, protective eyewear, etc.).

- Clothing or equipment that has been contaminated with blood or other potentially infectious materials should be removed as soon as is feasible after contamination.

Employees are not required to utilize protective equipment in situations where doing so would prevent the delivery of emergency medical care or other urgent action that would endanger individual or public safety. In these instances, the employee should utilize appropriate protective equipment as soon as possible.

Supervisors should routinely monitor staff to ensure that appropriate precautionary measures are being followed routinely. All employees holding positions with potential exposure to blood or other potentially infectious materials will be provided training in use of precautionary measures.

Significant Exposure

An exposure must be certified as significant by a physician. Significant exposure of an employee in the occupational setting is defined as the employee having sustained a contact which carries a potential for a transmission of HIV, HBV, HCV, and other infectious pathogens by one or more of the following means:

1. Transmission of blood, semen, or other body fluid into a body orifice.
2. Exchange of blood during the accidental or intentional infliction of a penetrating wound, including a needle puncture.
3. Entry of blood or other body fluid into an eye, an open wound, an oozing lesion, or where a significant breakdown in the skin has occurred.
4. Other routes of exposure, defined as significant in rules promulgated by the MPD. The MPD, in promulgating the rules, shall consider all potential routes of transmission of HIV identified by the Centers for Disease Control of the Federal Public Health Service.

Rights and Responsibilities

EMPLOYER

- Offers testing, counseling, and follow-up that may include treatment to the Employee through Worker Compensation.
- Initiates contact with the source individual. If the source individual has no medical provider or financial resources for testing, the MPD may offer and provide appropriate testing.
- May not obtain test results of the Employee.
- May require that the Employee seek medical assessment but cannot require that the Employee be tested or treated.
- May request source be tested for HIV/HBV and HCV or other infectious diseases.
- If source refuses, a court order may be processed through the District Attorney's Office.

EMPLOYEE

- Uses universal precautions per MPD Procedures.
- Informs employer when a potentially significant exposure has occurred.
- May obtain testing, counseling, and follow-up with their medical provider ~~or~~ and/or the MPD Medical Director.
- May refuse testing, counseling, and follow-up services.
- May obtain test results on the source in any of the following circumstances:
  - The source consents to be tested and consents to release the test results to the exposed employee.
  - Previous HIV/HBV/HCV tests have been conducted on the source within an acceptable time interval and are available.
  - HIV test results through a court order.
- Must keep all test result information from a source strictly confidential.

SOURCE

- Has the right to be informed that a potential significant exposure has occurred.
- May refuse to be tested unless court order has been obtained.

Legal Reference

- Wisconsin State Statutes 252.15(1)(em)
- Occupational Safety and Health Administration (OSHA) Final Rule, CPL Part 1910.1030 "Occupational Exposure to Bloodborne Pathogens"

Procedure – Responsibility and Protocol

Responsibility

The Supervisor in charge of each significant exposure determination shall assure the following:

1. The significant exposure supervisor checklist is followed. (A to Z Forms)
2. All documents are complete and accurate.
3. Documents are properly used and are dispositioned.

Protocol

Significant Exposure Protocol for Obtaining Source Blood and Test Results

***Officer has the right to not participate in this Protocol**

1. **Take officer to hospital**
   a. Officer should clean exposed area as soon as possible after incident.
   b. Meriter Hospital is the preferred hospital as they are most familiar with our process; however, the other hospitals can also assist in this process.
   c. Officer must be checked in as a patient. This creates a medical record that will house test results.

2. **Pull separate Case Number for Significant Exposure to document this process**
   a. This case number should be placed on all forms.
   b. Route report(s) to MPD Medical Director, Dr. Ashley Anderson.
   c. Separate case number is needed because the medically protected information produced through this process should not be documented in the original incident during which the significant exposure occurred. On rare occasion, when the source knows they are infected and intentionally exposes the officer, it is necessary to document those criminal elements under the case number assigned to the original incident during which the exposure occurred for proper charging. Extreme caution shall be taken to balance the protection of the officer's medically protected information with the information necessary to accurately document the circumstances supporting the criminal activity. Charging consideration - Wisconsin Statute 941.375.
   d. **Complete - ~~Accident Report/Workers Comp Form~~ Employee Injury Reporting Process**
      ~~i. **Supervisor** shall complete both pages of this form during this process.~~
      ~~ii. Officer must sign form.~~
      ~~iii. This can be completed upon return to a station. Remember – it must be signed by the officer.~~
      i. When reporting a significant exposure while on duty, personnel are required to notify a supervisor, commander, civilian manager, or MPD's Officer in Charge immediately, and PD Medical. The employee must call the City's external medical call-in line (Paradigm) to report the injury. In the case of significant emergencies (e.g. a critical incident), the employee's supervisor will call this external line on the employee's behalf.
         1. Contact Information for External Call-In Line: 844-847-8709
      ii. Supervisor shall make Telestaff entry for injured officer. Telestaff Work Code – INJURED and a detail code of EXPOSURE. Entry should be for 15 minutes and the start of that 15 minute entry should be listed as the start time the significant exposure occurred. ~~needs to match the time of the injury written on the Workers Comp Form.~~
      iii. After the employee contacts Paradigm, PD Medical will receive a report that summarizes the significant exposure. This report will be emailed to the employee

and their supervisor as noted on the report. This report is then placed in their medical file.

~~iv. Disposition of Workers Comp Form – Supervisor shall scan and email to PDMedical for placement in the employee's MPD Medical File.~~

e. **Complete - City of Madison Medical Status Report Form**
   i. **Physician** completes this form with the Officer.
   ii. This form must be completed while at the hospital, at the end of the appointment before discharge. Not completing this form at the time the officer is seeking medical treatment for the significant exposure will force the officer to re-contact the doctor at a later time to have it completed.
   iii. This form must be completed even if officer does not miss any work.
   iv. Disposition of Form – officer must scan and email to PD Medical for placement in the employee's MPD Medical File.

3. **Doctor evaluates officer for Significant Exposure**
   a. **Determination of Exposure to Blood/Bodily Fluids Form**
      i. This form should be available at the hospital.
      ii. This form documents if the Physician determined if there was a Significant Exposure or not.
      iii. **Officer** completes sections I, II, and III. Officer signs in section III.
      iv. **Physician** will complete section IV. Make sure box 'IV' is completed by checking Yes or No. Document the Physician's finding in the Significant Exposure Report. If Physician selects, "No", they deem a Significant Exposure to have not occurred. Officer can seek a second opinion with their personal physician or MPD Medical Director.
      v. Completed forms should be scanned and emailed to PD Medical.
   b. **If there are issues with the medical determination, contact Dr. Ashley Anderson.**

4. **Consent from Source for Blood Draw and Testing**

THE FOLLOWING STEPS SHOW HOW TO OBTAIN THE BLOOD

Source is DECEASED

1. Contact the ME's Office immediately. ~~M.E.~~ at 608-284-6000
2. The ME can perform HIV Testing and disclose the results to the Officer as long as the evaluating doctor from #3 above has deemed the event a Significant Exposure on the **- Determination of Exposure to Blood/Bodily Fluids Form.** §252.15(5m)

Source provides CONSENT

1. Complete **Consent for Laboratory Testing and Consent to Release of Test Results Form.** Use significant exposure case number.
2. It is best practice to have someone who was not involved in the original event related to the significant exposure to work with the source. The exposed officer should not have contact with the source during this time.
3. The expiration date for this form is six (6) months from the date of the blood draw.
4. The officer's primary care physician name and clinic address must be completed on the bottom of this form. This identifies to whom and where the blood test results are sent. If the officer does not have a primary care physician, the MPD Medical Director may be used.
5. Read the form to the source, preferably with a witness present.
6. A consenting source signs the form.
7. Form is signed and dated by person reading the form and any witnesses.

8. The hospital/physician will need a copy of this form to go with the drawn blood as this indicates where the results are to be sent (i.e., the exposed officer's personal physician).

Source REFUSES CONSENT OR is UNABLE TO CONSENT or is AT-LARGE

IMPORTANT –

- Ask the officer if they used universal precautions in this instance.
- If the officer did not use universal precautions, then in order for the court order compelling the testing to proceed, it must be documented what emergency prevented the officer from using universal precautions. This emergency must rise to the level of endangering the life of the individual. See State Statute §252.15(5g)(b).
- Document the answers to these questions in the report.

1. **Start of the court order process**. Let officer know this process will take at least three, and up to twenty, days to complete.
    a. Officer should consult with their personal physician or MPD Medical Director to determine whether treatment should commence while the court order process is underway. When there is a significant risk of transmission of HIV, post-exposure prophylaxis should begin as early as possible (and no later than 48 hours after exposure).
2. **Physician** will need to complete **Physician Affidavit.**
    a. Supervisor shall have a notary public present to view the physician sign the form. Check with the hospital for a notary public. Alternatively, some MPD Police Report Typists (PRTs) are notary publics. See list of MPD notaries in employeenet, A to Z Forms, significant ~~E~~exposure.
    b. Petitioner is the exposed officer;~~.~~ Respondent is the source.
3. Try to get a detective for the following, if not already involved.
4. Complete **Application for Order Compelling Testing and Disclosure of Results.**
    a. As indicated on the form, the exposed officer must request this application be made.
    b. This must be signed by the District Attorney or Assistant District Attorney.
5. Complete **Notice of Hearing on Application for Order Compelling Testing and Disclosure of Results.**
    a. This must be signed by a Judge. Work with the DA to get on a judge's calendar**.**
    b. This form must then be served on the source at least 72 hours before the date of the hearing established by the Judge.
6. Complete Legal Service to Source
    a. Serve the source with the **Notice of Hearing** from #5 above no less than 72 hours before the scheduled court hearing. Show the source the original signed Notice. Provide the source with a copy of the Notice.
    b. Provide the Source with a copy of the **Application for Order** from #4 above.
    c. If the legal service is not given to the source prior to 72 hours before the hearing, a new court date will be needed.
7. Complete the **Affidavit of Service** after the source has been served.
    a. Sign this only in front of a Notary Public.
8. Attend the hearing on the date provided on the Notice of Hearing.
    a. Show up to court with the exposed officer, who may have to testify.
    b. Make sure to have the completed the **Order Compelling Testing and Disclosure of Results Form** and bring it with you so the Judge can sign it at this hearing.
    c. If order compelling is not granted by the Judge, ~~C~~contact MPD Medical Director, ~~-~~ Dr. Ashley Anderson.
9. If order compelling is granted by the Judge: ~~:~~
    a. Arrange for the blood draw with the hospital; ~~.~~ ~~C~~call ahead.
    b. Show up with the original documents ready to show to hospital staff.
    c. If hospital draws blood, they will follow up with test results.

10. In either case, the original court documents and a copy of those same documents need to be taken to the Dane County Clerk of Courts. Both the original and the copy need to be stamped by the Clerk of Courts and the copy version is left with that office. The original copy (with the stamp) is then copied again. That copy is placed into Law Enforcement Records Management System (LERMS) ~~,~~ and the original documents are property tagged under the significant exposure case number.

Procedure for Obtaining Blood Draw from a Source inside the Dane County Jail

- As of this time, the current procedure for obtaining a blood draw from a source person housed in the Dane County Jail is to arrange for that person to be removed from the jail and taken to Meriter Hospital for the draw.
- As of this time, this is the procedure for both the voluntary and compelled blood draws.

Significant Exposure – Summary of Forms Involved

Source and Officer should not have contact.

Form	When Used	Persons Involved
~~Accident Report/Workers Comp Form – both sides~~ EIR completed through Workers Comp call in line**	Always	Supervisor/Officer
City of Madison Medical Status Report	Always	Officer/Physician
Determination of Exposure to Blood/Bodily Fluids	Always	Officer/Physician (Available at Hospital)
Consent for Laboratory Testing and Release of Test Results	Compliant **OR** At-Large Source	Source/Officer
Physician Affidavit of Exposure	Non-Compliant Source **OR** Source Unable to Comply **OR** Source is At-Large	Physician/Notary Public
Application for Order Compelling Testing and Disclosure of Results	Non-Compliant Source	Detective/DA or ADA
Order Compelling Testing and Disclosure of Results	Non-Compliant Source	Detective/Judge
Notice of Hearing on Application for Order Compelling Testing and Disclosure of Results	Non-Compliant Source	Detective/Judge
Affidavit of Service	Non-Compliant Source	Detective/Notary Public

DISPOSITON OF SIGNIFICANT EXPOSURE FORMS	**Scan and Email to PD Medical**	**Originals placed in Detective Lt. Mailbox of District where Exposure occurred**	**Property Tag Original**	**Copy for LERMS**	**Copy for Source**	**Copy for District Attorney**	**Copy for Clerk of Courts** (To be REDACTED by Records Supervisor)

~~Accident Report/Workers Comp Form – both sides~~ Employee Injury Reporting via the call in-line X**	X**						
City of Madison Medical Status Report	X						
Determination of Exposure to Blood/Bodily Fluids	X	X					
Consent for laboratory Testing and Release of Test Results		X		X			
Physician Affidavit of Exposure		X		X			X
Application for Order Compelling Testing and Disclosure of Results			X	X		X	X
Order Compelling Testing and Disclosure of Results			X	X	X	X	X
Notice of Hearing on Application for Order Compelling Testing and Disclosure of Results			X	X	X	X	X
Affidavit of Service			X	X		X	X

*The original forms (top 2 above) can remain with the officer after emailing to PD Medical.
**Effective June 1, 2022 all employees will need to report injuries by calling 1-844-847-8709

Original SOP: 11/16/2015
(Reviewed Only: 02/22/2016, 01/09/2017, 02/04/2022)
(Revised: 12/14/2018, 04/26/2019, 08/07/2023)

Notification of Commanding Officers

Eff. Date ~~01/31/2023~~ 08/18/2023

Purpose

To clarify the situations requiring the notification of District or Work Unit Command Staff.

Required Notification of Commanding Officers

The following situations always require the notification of the District/Work Unit Command staff **and** the Assistant Chief of Field Operations as soon as possible **regardless of when the incident occurs.** Voice/Text messages should be left, but it is important to have direct contact with the command staff and an assistant chief. The Officer in Charge (OIC) is responsible to ensure these notifications are made.

1. A homicide or attempted homicide where death appears probable or where the victim sustains a significant injury. This includes weapons offenses where a victim is shot, stabbed (non-superficial), or sustains other injuries requiring hospitalization.
2. Weapons offenses of shots fired into an **occupied** residence or into an **occupied** vehicle.
3. When the suspect or person of interest of a high profile case has been arrested (i.e. homicide, attempted homicide, or any other high profile case that has received media attention).
4. A situation requiring an SWAT call-up. **NOTE: SWAT** Commander will be called **first** in this instance.
5. A situation requiring a SET call-up. **NOTE: SET** Commander will be called **first** in this instance.
6. A fatal traffic crash.
7. A significant incident involving an employee, on or off duty, e.g., serious injury or death of an employee, officer-involved shooting or use of deadly force, serious disciplinary measures, allegations of or arrest for criminal violations, or an employee or an employee's family member(s) being the victim of a serious violent crime. This includes on duty injuries in which an officer is unable to complete their shift. These examples are illustrative and not meant to be inclusive. **NOTE:** The Chief of Police wants to be notified in the event of ANY employee—sworn/civilian—injury, whether on or off-duty.
8. Madison Police Department (MPD) arrest of any law enforcement officer.
9. A fire that results in a fatality.
10. A significant community issue or incident that requires police attention or involves notable persons.
11. Unusually extensive criminal damage to property/graffiti.
12. When a case is generating significant media interest and the scene supervisor is requesting Public Information Officer (PIO) assistance.
13. MPD pursuit that terminates in a crash causing injury to any party.
14. Any incident or attempted incident involving a serious crime where the victim and offender are not known to one another (stranger sexual assault, stranger carjacking, stranger armed street robbery).

If there is any doubt as to whether a call should be made, make the call. When unable to contact the appropriate Commanding Officer, contact should be attempted as follows:

1. Assistant Chief of Field Operations
2. Assistant Chief of Investigative and Specialized Services
3. Assistant Chief of Support and Community Outreach
4. Executive Section/Operations Captain
5. Any other District Commander

CONSULTATION WITH DISTRICT, WORK UNIT, OR ON-CALL DETECTIVE LIEUTENANT

Many cases warrant the immediate involvement of detectives and additional investigative resources. During normal work hours, the appropriate Detective Lieutenant, Investigative Lieutenant, or Detective Sergeant may be contacted directly. After 4 pm on weekdays, during normal Detective on-duty hours, the OIC can contact Detective Sergeants or Detectives directly with pre-approval from District, Work Unit, or On-Call Lieutenants.

The following table lists the incident types which **require** contact with the appropriate Lieutenant. In some cases, contact is only required in the event that a Patrol Supervisor or the OIC determine that additional investigative resources are needed. In cases where contact is required or additional resources are being requested, the OIC should contact the appropriate person from the following table:

INCIDENT TYPE	Contact required	Mon - Fri	After Hours, weekend or holiday
Homicide / Attempted Homicide where death appears probable	**Yes**	Violent Crime Unit (VCU) Detective Sergeant	Investigative Services Lieutenant of VCU *Back-Up: Either of the VCU Detective-Sergeants*
Kidnapping	**Yes**		
Weapons offense with occupied building or vehicle struck	**Yes**		
Victim with a gunshot wound	**Yes**		
Self-inflicted gunshot wound	If additional resources are needed	District Detective Lieutenant	On-Call Detective Lieutenant
Infant/Child death investigation or significant head or brain trauma	**Yes**	Special Victims Unit (SVU) Detective Sergeant	Investigative Services Lieutenant of SVU *Back-Up:* *SVU Detective Sergeant*
Child abduction or attempted abduction (not intended for child custody dispute)	**Yes**		
Sexual assault of a child ** An after-hours delayed report with no evidence readily available to collect, victim is safe and suspect is known, can be written up and routed to the Investigative Services Lieutenant of SVU	If additional resources are needed		
Physical abuse of a child	If additional resources are needed		
Child Neglect	If additional resources are needed		
Serious or fatal auto crash	**Yes**	Lieutenant of Traffic and Specialized Services	Lieutenant of Traffic and Specialized Services *Back-Up: Captain of Traffic and Specialized Services or Sergeant of Forensic Services*
First or second-degree sexual assault ** An after-hours delayed report with no evidence readily available to collect, victim is safe, and suspect is known, can be written up and routed to the District Detective Lieutenant	If additional resources are needed	District Detective Lieutenant	On-Call Detective Lieutenant
First degree reckless endangering safety	**Yes**		
Arson to occupied building	**Yes**		
Home invasion without shots fired	If additional resources are needed		
An investigation that requires additional resources or expertise not available on an on-duty status	If additional resources are needed		
Imminent threat, targeted, or mass casualty violence	**Yes**		

MPD pursuit (if terminates with crash causing injury follow Command notification protocols)	**Yes**	Email involved officer's District/work unit Lieutenant with date and case #	Email involved officer's District/work unit Lieutenant with date and case #

NOTE: There may be circumstances involving crimes other than those already specified which, because of the complexity, on-going crime pattern, etc. (examples: counterfeit rings, business burglaries, armed robberies) warrant the immediate involvement of detectives. A call to the On-Call Detective Lieutenant is appropriate in these instances. **When in doubt,** a call to consult with the On-Call Detective Lieutenant should be made. The on-call contact number is 608-243-0544.

CONTACTING THE FORENSIC SERVICES UNIT SERGEANT

The Forensic Services Unit (FSU) Sergeant should be contacted whenever additional investigator resources are needed for an investigation, or for consultation on investigative steps/resources. The following situations **require** notification of the FSU Sergeant:

1. A homicide or attempted homicide where death appears probable.
2. A serious or fatal auto crash.
3. A death investigation resulting the Medical Examiner's staff requesting an Investigator attend the autopsy.
4. A request by an outside agency for assistance by FSU personnel.
5. An investigation requiring additional FSU resources.

NOTE: Notification can be made by on-duty Investigators if time permits. This may help facilitate passing of pertinent information between on-duty investigators and the FSU Sergeant.

CALL-IN PROCEDURE FOR DETECTIVES, SWAT, SET

When the On-Call Detective Lieutenant has determined that detectives are to be called in, the On-Call Detective Lieutenant will provide a list of detectives to the OIC. It is the responsibility of the OIC to then contact the detectives from this list utilizing the Telestaff call-in process.

It is recognized that there may be circumstances that prompt the OIC to request assistance from the On-Call Detective Lieutenant in making calls to the detectives, and these situations may be negotiated on a case-by-case basis. However, any further assistance provided by the On-Call Detective Lieutenant is optional and not required.

When the SWAT or SET Commander has determined a unit call-up is warranted, it is the responsibility of the OIC to coordinate the SWAT/SET member notification process utilizing the Telestaff call-in process.

NOTIFICATION OF MPPOA/AMPS PRESIDENT

The President(s) of the Madison Professional Police Officers Association (MPPOA) and/or the Association of Madison Police Supervisors (AMPS) should be notified whenever a significant incident involving an employee, on or off duty, occurs, e.g., serious injury or death of an employee, officer-involved shooting or use of deadly force, or an employee or an employee's family member(s) being the victim of a serious violent crime. These examples are illustrative and not meant to be inclusive.

INFORMATION CONSIDERATIONS PRIOR TO CALLING ON-CALL DETECTIVE LIEUTENANT

1. Nature of incident (i.e. stabbing, sexual assault, home invasion, etc.); was weapon/force/threat of violence used

2. Scene(s) – located and secured (i.e. vehicle, residence, outdoors, etc.); Supervisor, Detective, or Investigator currently involved in on-duty status; presence of evidence; weather conditions that may impact evidence collection; evidence collection coordination

3. Time lapse from incident to reporting — if there was a delay, why
4. Victim(s) information – name; age; current location (hospital, scene, unknown, etc.); injuries; MPD in contact

5. Suspect(s) information – name(s), if known; in unknown, do we have a description or other pertinent information; relation to victim(s); location/custody status, if known;

6. Witness(s) information – are there any; if so, how many; location; MPD in contact

7. Other considerations – language/culture barrier; handicap for any involved parties (physical, mental illness, cognitive delays, etc.); juvenile (Safe Harbor situation, contact Dane County Human Services (DCHS), protection issues, etc.); crowd or media concerns

The above information will assist the On-Call Detective Lieutenant in making a decision on the best way to proceed with the investigation, and who, if anyone, will be called in to assist.

Original SOP: 02/25/2015
(Revised: 02/24/2016, 02/03/2017, 06/15/2017, 02/19/2018, 05/02/2018, 01/17/2019, 05/01/2019, 12/30/2019, 01/15/2021, 01/31/2023, 08/18/2023)
(Reviewed Only: 02/04/2022)

Handling of Evidence, Contraband, Found, or Lost Property

Eff. Date ~~04/10/2023~~ 08/21/2023

Purpose

This standard operating procedure (SOP) establishes procedures for processing, maintaining, and disposing of evidence in a manner that ensures the evidentiary value of the property, as well as the integrity of the Madison Police Department (MPD) and its employees.

Responsibility

Between the hours of 7:00 a.m. - 4:00 p.m. Monday through Friday during which the Property Room is staffed, Property Clerks will be responsible for the control of all property. In their absence, the Officer in Charge (OIC) will be responsible for coordinating the handling of secured property.

Police Property Clerks will follow the processes outlined in the Property Room Procedures Manual. This manual will be reviewed annually for updates and clarifications.

Property Intake Rooms

Property Intake Rooms have been provided for storage of evidence, found property, and recovered stolen property. Evidence packaging supplies and storage lockers are provided within the Property Intake Rooms that have been keyed to allow officers access with department-issued keys. Employees are responsible for following established policies and procedures for packaging of items placed into storage lockers as outlined in this SOP and in the MPD Packaging Guide.

LOCKERS

1. After packaging item(s), officers should place the item(s) and the quick entry receipt in an empty storage locker and lock the door with its attached padlock.
2. Various sized lockers are provided and employees are expected to use the appropriately sized locker for the items to be temporarily stored. One specific locker is designated in each district's intake room for small items such as ID cards, driver licenses, etc.
3. If an item is too large to fit into a locker, the item may be left on the floor of the Property Intake Room. If the item is evidentiary, it must be taken to the Vehicle Impound Facility.

Tagging and Packaging Property

1. All items will be entered into the Law Enforcement Records Management System (LERMS) using the Quick Entry system. There is a guide for this system in each intake room.
2. All property should be processed in accordance with the MPD Packaging Guide. Each package will be assigned its own barcode/tag number. Only one barcode/tag number will be assigned per package.
3. Some types of property require special intake procedures or special storage. Employees having questions should consult with the MPD Packaging Guide, the Property staff, the Forensic Services Unit, or if they are unavailable, the Officer in Charge for guidance.

Temporary Evidence Storage

Temporary Evidence Lockers/Locks are the responsibility of each district station. In most instances, all evidence/property must be secured, tagged, and entered into LERMS prior to the end of the employee's shift. However, some evidence may need further processing, or due to call volume and time constraints, may need to be temporarily secured until final processing can be completed. Under these circumstances, temporary evidence storage may be utilized as follows:

1. The item(s) may be secured in a designated temporary evidence locker. Evidence may not be stored in any other location (desk, personal locker, etc.) unless unusual circumstances exist (large size, hazardous materials, etc.) and with a commander's approval.
2. A temporary storage logbook will be placed in each property room and employees using temporary evidence storage will document the property in the log and in their report. Employees will also designate their use of a temporary locker by placing their name or business card on the locker. By January 15th of each year, the filled log pages will be sent to the MPD Records Section.
3. Items may not be stored in a temporary evidence locker for more than 72 hours without the approval of a commander. Items should be removed from temporary storage and entered into the property control system as soon as possible.
4. Non-evidentiary property may be removed from temporary evidence storage and released without being entered into the property system only under these circumstances:
    a. The property is non-evidentiary and not sensitive (i.e., not controlled substances, firearms, currency, etc.).
    b. The employee responsible for the property arranges to return it to the owner or party responsible for it.
    c. The property is released within 72 hours of seizure.
    d. The release is approved by a supervisor.
    e. The seizure and release are documented in a report.
5. All sensitive evidence taken into custody (firearms, drugs, currency) must be processed and property tagged prior to the end of the employee's shift, unless unusual circumstances exist and with a commander's approval.
6. Items that are tagged and entered into Quick Entry in LERMS must be submitted to Property and not stored in temporary evidence lockers.

Safe Handling of Drugs

When testing or packaging any drugs or paraphernalia as listed below, the best practice is to be paired up with at least one other officer. The second 'safety officer' will not be directly involved in the testing, handling, or packaging of the drug, but can perform other supportive functions such as computer entries. Considering the risk factor of some of the opioids, it will be permissible to divert from the standard packaging procedures of separating the drugs and packaging as listed in the MPD Packaging Guide. All people present in the property intake area when the drugs listed in this policy are packaged or tested should wear N95/N100 masks and protective eyewear (supplied in each property intake room) to protect against accidental inhalation of or exposure to fine particle drugs. Anyone in direct contact with the drug should wear protective, disposable gloves, N95/N100 masks, protective eyewear, and gowns. In addition to sworn personnel, any civilian employees handling the drugs listed below for the purposes of destruction should take the same precautions. This practice does not apply to the simple movement of a sealed package. Likewise, officers should not request anyone to come into direct contact with the following drugs on the officer's behalf without proper training and protective gear, to include community members, suspects, witnesses, or other non-law enforcement contacts:

- Any known or suspected opioid regardless of form (pill, capsule, powder, liquid, patch, etc.).
- Any unknown powdered drug regardless of color or the substance it is suspected to be.
- Any other drug, such as marijuana, when there is any question about safety or opioid contamination.
- Any drug packaging or paraphernalia that has what is commonly referred to as "drug residue" within, when that residue is potentially a powdered substance.

Firearms

1. A Seized Property Receipt shall be provided to all owners of confiscated firearms.
2. **No loaded firearms** of any type should be property tagged and stored in the Property Room. Proper unloading procedures are described in the Wisconsin State Crime Lab (WSCL) Handbook and an Investigator will assist with the unloading of any weapon which is to be checked for deoxyribonucleic acid (DNA) and/or fingerprints.

3. **All ammunition must be packaged separately from firearms.**
4. All firearms, including facsimile, should be placed in a gun box with the case number, tag number, date, employee name/IBM number, weapon description, and serial number printed on the outside.

RECEIVING RECOVERED STOLEN FIREARMS FROM OUTSIDE AGENCIES

1. When MPD is notified that another agency has recovered a stolen firearm, the theft of which originated from MPD's jurisdiction, MPD personnel will make arrangements to receive the firearm.
2. The assigned Detective--or in the event that the case was never assigned, the responsible district's Detective Lieutenant--will contact the outside agency to provide MPD case number and shipping information (account number for postage/shipping costs and address): Madison Police Property Room, Attn: Property Supervisor, 211 S. Carroll St. GR-4, Madison, WI 53703 (608) 266-4955. The cost of this shipping will be covered by the Investigative Funds and the Shipping Account information will be provided to the assigned Detective or Detective Lieutenant.
3. Once the firearm is received by the Property Room, Property Staff will check in the firearm per the MPD Packaging Guide.
4. The assigned Detective or Detective Lieutenant will determine the firearm disposition and the appropriate Property Disposition paperwork will be completed.
5. MPD Property/Records Staff will complete the background process prior to releasing the firearm.
6. Once the background paperwork for the firearm return is completed and authorized by the Commander of Property, the Property Staff will contact the authorized owner via certified letter and the firearm will be released per the Property Firearm Return Guidelines outlined in the Property Room Procedure Manual.

BACKGROUND OF FIREARMS FOR RELEASE

1. The background shall include:
    a. Firearm Check for Stolen with Data
    b. Bureau of Alcohol, Tobacco, and Firearms (ATF) Weapon Trace
    c. Owner III & Crime Information Bureau (CIB) Checks
    d. Owner Adjudicated or Committed – Mental Defective
    e. Report Review (to include Other Police Agencies)
    f. Prosecution Release Authority

Med Drop

The purpose of this initiative is to prevent unwanted medicines from harming members of the community or the environment by disposing of them in a safe manner. The Department of Justice coordinates the Drug Take Back Program and the Police Property Supervisor is responsible for registering the department for the program each spring and fall for the deposit dates.

1. Med Drop Bins are located in the East and West District Police lobbies and are available for public medication deposits Monday through Friday, 8am-4pm. Under no circumstances should an officer drop any medications/drugs reference a case in the med drop bins. If an officer takes possession of any medicines from a citizen who is unable/unwilling to respond to a local pharmacy or East/West District Med Drop Bins to deposit the medications for destruction themselves, the officer shall tag and package the medications per the MPD Packaging Guide for destruction and complete a report.
2. The keys for the locked Med Drop receptacles will be kept within the control of the district captains or their designees.
3. Instructions and baggies will be provided for the public at the Med Drop receptacles.
4. A case number shall be generated at the beginning of each calendar year for each Med Drop receptacle location (one for East PD and one for West PD) and all reports reference Med Drop collection will be documented under the respective case number to each district.
5. Packaging materials are provided by the Department of Justice and the Police Property Supervisor will coordinate the ordering of these materials. On a weekly basis or as needed, two commissioned personnel of the MPD (wearing appropriate PPE to include goggles, mask, gown and gloves) will inspect the

bucket/box contained within the Med Drop receptacle for capacity. If the bucket/box is not full, the Med Drop receptacle shall be closed and secured and the key returned to the respective commander from which it was obtained. If the bucket/box is full, the two commissioned MPD personnel shall safely tie the box liner bag, seal, and weigh the prescription medications within the box in accordance with the procedures outlined in the MPD Packaging Guide. The Med Drop collection box will be replaced with a new box and the receptacle shall be secured. The receptacle key shall be returned to the respective commander from which it was obtained.

6. A report will be completed documenting the box weight, date collected, and that the property tagging process was completed.
7. Property Room Personnel will remove packaged Med Drop boxes on a weekly basis while conducting their standard district property collection. The boxes will be stored within the property control system until they are turned over to the appropriate authorities/location designated by the Department of Justice.

Liquid Evidence

1. **Non-Volatile Liquids** should be processed in accordance with the MPD Packaging Guide.
2. **Volatile Liquids** should be processed in accordance with the MPD Packaging Guide.

Collection of Standard Blood Sample in Criminal Investigations

Blood samples in criminal cases are drawn to determine blood types of victim and suspect, and/or to determine the presence of foreign chemicals (e.g., controlled substances, poisons).

BLOOD DRAW

1. Blood is to be drawn only by a physician or a person acting under his or her direction. An officer should witness the blood being drawn, shall properly seal, number, and mark each tube drawn, and shall report the chain of evidence, including:
   a. Subject's name.
   b. Offense.
   c. Date and time of collection.
   d. Name of person drawing the sample.
   e. Identification of each tube collected.
   f. Location of each tube.

   The blood kit itself must be sealed in accordance with the MPD Packaging Guide.
2. If a suspect objects to having blood samples taken and if there is any doubt about drawing blood without a search warrant, the OIC may need to contact the on-duty District Attorney for advice.
3. Screening for Controlled Substances - Use the WI Implied Consent Blood Kit when screening for controlled substances. The kit has all the equipment and forms necessary to obtain the blood sample. Follow instructions provided in blood kit.
4. Screening for Blood Type - Use the blood kit provided by the State Hygiene Laboratory. In sexual assault cases, the blood kit and instructions are found in the Wisconsin State Crime Lab Forensic Nurse Examiner Kits.
5. Deceased Person - The Medical Examiner takes the blood.
6. Sexual Assaults - Refer to MPD Sexual Assault Checklist for type of samples needed. All Madison hospitals have a supply of Wisconsin State Crime Lab Evidence Collection Kits with Instructions. Officers should utilize both documents when investigating sexual assaults.

PROCEDURAL GUIDELINES

1. **Packaging Blood Samples:** Within two hours, if possible, after each blood sample tube has been properly sealed and marked with all required information (case number, date, name of subject from whom the sample was drawn, employee's name witnessing drawing, and sample tube number), the individual tubes should be packaged in such a way that the glass tube is are protected from breaking.

The blood kit box should also be properly sealed and marked on the outside with the date, case number, tag number, employee name, suspect name, and offense.

2. **Refrigeration of Samples (never freeze liquid blood before testing):** For proper analysis of blood samples, it is best practice that the samples be refrigerated as soon as possible after the samples are drawn. It is important to keep the samples away from extreme temperatures. The sample(s) should be property tagged and be placed in the refrigerator located in the City County Building (CCB) Property Intake Room. If the refrigerator is locked, the key for the refrigerator can be obtained from the OIC or designee.
3. **Disposition of Evidence in Sexual Assault Cases Where no Suspect is Known:** In cases where there is no suspect identified, all blood samples (victim, suspect, or other) shall be turned over to the State Crime Lab for analysis as soon as possible, or until the sample is no longer of evidentiary value. The Crime Lab will analyze the blood samples even though specific suspect is not identified. The follow-up officer shall periodically monitor the value of maintaining other biological evidence in the property room.
4. **Reporting Evidence Chain:** Transportation or disposition of any evidence shall be documented in reports by any officer involved in the evidence chain.

COLLECTION OF WHOLE BLOOD IN TRAFFIC-RELATED CASES

1. WI Implied Consent Blood Kits, supplied by the State Hygiene Laboratory, shall be utilized for traffic-related cases. The kit supply is maintained by the local hospitals and by MPD. The kits are stored in the CCB Intake Room and in area hospital emergency rooms. The kit has all the equipment and forms necessary to obtain the blood sample.
2. Blood is to be drawn only by a physician or registered nurse, medical technologist, physician assistant, phlebotomist, or other medical professional who is authorized to draw blood, or person acting under the direction of a physician. The arresting officer should witness the blood being drawn and maintain custody of the evidence once sealed by the medical personnel.
3. It shall be the responsibility of the Police Property Supervisor to coordinate the transport of all blood samples in a timely fashion to the UW Hygiene Laboratory or to the State Crime Laboratory when appropriate.

Deceased Animals

In the event that a deceased animal needs to be collected for evidence/necropsy purposes, it is recommended that you contact the **Wisconsin Veterinary Diagnostic Laboratory (WVDL) at 608-262-5432 (Monday-Friday 7:45am-4:30pm).** The WVDL is located at 445 Easterday Lane, Madison, WI. The WVDL does not recommend freezing the animal prior to necropsy. Therefore, if an animal is collected for necropsy and it is after the WVDL normal business hours, you can contact the **University of Wisconsin (UW) Veterinary Hospital at 608-263-7600** for refrigerated storage options. The UW Veterinary Hospital can then turn the deceased animal over to the WVDL during normal business hours.

The Property Room **WILL NOT** store a deceased animal in the Evidence Refrigerator; it will only be stored in the Evidence Freezer. In the unusual event that a deceased animal is collected and not going to have a necropsy, it will be stored in the Property Room Freezer. If the animal is collected and packaged during the hours of 7:00am-4:00pm, please contact the Property Room for assistance. If it is after hours and the animal is small enough to fit into the Evidence Refrigerator Freezer in the CCB Intake room, it can be stored there. If it is after hours and the animal cannot fit into the Evidence Refrigerator Freezer in the CCB Intake Room, contact the OIC to call in a Property Room Staff Member to allow access to the larger evidence freezer.

Latent Evidence

Items of evidence bearing or suspected of bearing latent evidence (e.g., fingerprints, palm prints, foot or shoe prints) which are to be processed must be entered into LERMS Quick Entry, marked and sealed, and secured in a Property Intake Room. If there is danger of destroying possible evidence by marking the item, it must be protected and the package containing the item must be marked.

Vehicles

VEHICLE STORAGE

The MPD's Vehicle Impound Facility (VIF) is for the processing and storage of vehicles of evidentiary value. All other vehicles MUST be towed to the contracted tow company's storage facility.

A vehicle should be towed to the VIF when a vehicle has been determined to be evidence of a crime and needs to be processed. An electronic MPD vehicle tow card must be completed for all vehicles towed to the VIF. The tow card must be completely filled out. The tow card shall be emailed to PD Tow prior to the end of shift. Property Staff will email a copy to the contracted tow company.

Vehicle keys will be placed in a clear plastic Ziploc envelope provided in the VIF Intake room. The case number will be written clearly on the envelope and the keys placed in the tray with the tow card.

Officers are required to make any entries into LERMS.

Two Options are Available to Release a Vehicle from the VIF

1. Utilizing MPD's Contracted Tow Company:

   When a vehicle has been processed and retains no evidentiary value, the authorizing official will send an email to PD Tow authorizing its release.
   This email should include the following information:

   Please release vehicle:
   - Case#
   - Tag#
   - Make
   - Model
   - VIN
   - License information (state and number)
   - Owner Information

   The Property Room Staff will arrange release of the vehicle by contacting the contracted tow company and completely filling out the electronic MPD vehicle tow card. The appropriate tow code for releasing a vehicle is "6". The name of the releasing officer will be annotated in the tow card. When the tow company arrives, the driver must sign in utilizing the VIF log if releasing vehicle from the inside storage area. The vehicle will then be removed and the driver will sign out. The tow card shall be emailed to PD Tow prior to the end of shift. Property Staff will email a copy to the contracted tow company.

   After the vehicle release has been completed, the Property Room Staff will notify the authorizing official and send an email message to the PD Tow email group that the release transaction is complete. Property Staff will make the appropriate computer entries and the authorizing official will notify the owner of the release.

2. Release of a Vehicle to Owner/Victim without Utilizing Contracted Tow Company.

   Under no circumstances should a vehicle be released to an owner/victim at the VIF.

   In the event that a person authorizing the release deems it appropriate to release a vehicle directly to an owner, the person authorizing the release must first check with Court Services to verify there are no Owners Fees associated with the vehicle to be released. If there are no fees, the person authorizing the release must send an email message to the PD Tow.

This email should include the following information:

Please release vehicle:
- Case#
- Tag#
- Make
- Model
- VIN
- License information (state and number)
- Owner Information
- Date and time of release

A supplemental report must be submitted by the releasing officer. Property will make the appropriate computer entries documenting the release.

No unauthorized personnel or personal vehicles will be allowed inside the VIF.

Air-Drying

1. Items requiring air-drying should be placed in the special air-dry lockers available at the Central District Air Dry Room. If these lockers are not available, standard lockers in the Central District Air Dry Room may be used. **Do not air dry any items in standard lockers at other districts' property intake rooms.**
2. Within four days of placing any item into an air-dry locker and provided the items have fully dried, officers must complete the packaging of the item(s). If absent from duty for more than four days, arrangements should be made with a commissioned co-worker to complete packaging of the items (if the items are dry).

Chain of Custody

Written documentation for the removal or disposition of any item in evidence will be submitted to a Property Clerk. Any officer involved in the evidence chain shall document in a police report the transportation or disposition of any evidence.

Refusal of Property

Property that does not meet the packaging and labeling standards outlined in the MPD Packaging Guide will be placed back into the storage locker with the associated lock. The locker will be secured and sealed with a red evidence zip tie. The zip tie will be labeled with the name and IBM of the Police Property Clerk refusing the property. In addition, the case number, tag number, and officer responsible for the item will be annotated. The Property Clerk will notify via email the employee and the Police Property Supervisor of the deficiency and the steps needed to correct the problem.

The responsible employee will verify the information on the red evidence zip tie and then cut the red evidence zip tie to remove the affected property.

The employee will correct the deficiencies outlined in accordance with the MPD Packaging Guide and will return the correctly packaged property to the storage locker. The red zip tie should also be placed (unpackaged) in the storage locker to allow the Police Property Clerk to identify the property and the deficiencies that were to be corrected.

The employee will notify Property via email that the deficiencies have been corrected and the item is ready for pickup. The employee will submit a supplemental report outlining the deficiency, the circumstances surrounding the opening of the locker, the correction, and the re-securing of the evidence. When picking up the packaged property, the Property Clerk will verify that the cut red evidence zip tie is indeed theirs and that the property has been corrected in accordance with MPD SOP. In the event the indicated deficiency is not

corrected within a reasonable amount of time of refusal, the Property Clerk will send a second email notification to the employee. The Police Property Supervisor will take the necessary steps to facilitate correction of the indicated deficiencies.

Release of Sensitive Evidence/Property

Certain types of evidence and property create a higher liability by their very nature and shall be subject to special restrictions for temporary or permanent release.

DESIGNATED EVIDENCE/PROPERTY

The following categories of property or evidence fall within these sensitive evidence/property guidelines:
1. All controlled substances/drugs.
2. Any functional firearms.
3. U.S. Currency amounts in excess of $100.
4. Individual items with an estimated value in excess of $1,000 (excluding vehicles).

AUTHORIZATION

Temporary or permanent release of any of the property/evidence listed above must have documented authorization by a Lieutenant (to include OICs), Captain, or Chief. The FSU sergeant may authorize the release of firearms for NIBIN testing.

The temporary release of any controlled substances/drugs that have been designated to be destroyed may only be authorized by the Assistant Chief of Investigative and Specialized Services.

DOCUMENTATION

The temporary or permanent release of any of the designated sensitive evidence/property shall be documented on a “Property Release/Receipt Form” signed by the authorizing Commander.

In addition to this form, any officer to whom designated sensitive evidence/property is released shall complete an official police report documenting the handling and disposition of this evidence/property.

Disposition of Property Requirements

UNCLAIMED PROPERTY

Wisconsin State Statutes 66.0139 and 170.07-170.11 and Madison General Ordinance 8.44 regulate the manner in which property coming into the possession of the MPD is handled.

ITEMS NOT TO BE SOLD AT AUCTION

It is required that items such as firearms, beer, liquor, fireworks, and flammables be destroyed after it is determined it is no longer necessary to retain the item.

BICYCLES FOR DONATION

Section 12.761(4) of the Madison General Ordinances allows for donation of bicycles to charitable non-profit organizations. When abandoned bicycles are not returned to the owner or sold, the City of Madison Police Department will donate abandoned bicycles to qualified organizations.

1. Bicycles shall be held by the Madison Police Department Property Section for 45 days before being considered for donation.

2. All requests for bicycle donations must be made with the "Bicycle Donation Form" (found at https://www.cityofmadison.com/police/support/bicycleDonation.cfm) which is to be reviewed by the Police Property Supervisor and the Captain of Traffic & Specialized Services. The Police Property Supervisor will notify all requesters of the approval/denial of their requests. If approved, the Police Bicycle Recovery Specialist will be in contact with the requester to schedule a pick-up date and time for the requested bicycles.
3. Requests should be made at least 30 days in advance of when the organization would like to receive the bicycles.
4. Donations shall be limited to charitable non-profit organizations. Such organizations must provide proof of their non-profit government status (subsequent applications may reference these materials as "on file" with the Police Property Room) and assurances that the bicycles will be used as part of a charitable program sponsored by the organization.
5. Bicycles shall only be for the use of clients of requesting organizations and not for the employees or directors of such organizations. Bicycles may not be sold to raise revenue for any purpose. By accepting a bicycle under this program, the applicant grants permission to the City of Madison Police Department to audit its use of said bicycles in accordance with these guidelines.
6. Organizations wishing to request an ongoing supply of bicycles are required to submit a separate request on each occasion when a donation is desired. Bicycle donations are subject to availability, as determined by the Madison Police Department. Organizations may receive no more than 20 bicycles at one time. Once all requests have been filled, an organization may receive additional bicycles.
7. Organizations receiving donated bicycles must sign a liability waiver and provide for the removal of the bicycles.
8. The Madison Police Department Property Supervisor will maintain the following related to each bicycle donation: copy of the approved request form, date the donation form was filled, and number of bicycles received by the organization.

EXPLOSIVES

Items capable of exploding such as dynamite, nitroglycerin, pipe bombs, or any Class A explosive, including M-80s and other powerful fireworks, will be handled by the Dane County Sheriff's Office Hazardous Devices Unit (HDU) and will not be placed in the Police Property Room.

FIREARMS AND AMMUNITION

Firearms and ammunition must be turned over to the Wisconsin State Crime Laboratory when it is no longer necessary to retain them for any reason.

SEIZED ITEMS

Items seized during the service of a search warrant or incident to an arrest that are not later used as evidence in a court case, must be returned to the owner or disposed of in accordance with Wisconsin State Statute.

OTHER PROPERTY RELEASED TO OWNER

Other property will be released to the owner according to procedural guidelines set up by the Commander in charge of the Property Room.

Property Room Controls

An audit of all, or of a specified portion, of the property/evidence storage areas is a critical internal control and will be conducted quarterly. Comprehensive inventories will be conducted when deemed necessary. The audit will review policies, procedures, and processes of the property and evidence functions to ensure compliance. Any variances or irregularities identified as a result of an audit or inventory of the property system will be documented by the Police Property Supervisor and/or Commander designated to monitor those processes.

This documentation shall be forwarded to the Assistant Chiefs and to the Chief of Police for review.

Original SOP: 02/25/2015
(Revised: 01/20/2017, 02/07/2017, 06/15/2017, 10/09/2017, 01/25/2018, 11/15/2019, 04/06/2020, 12/28/2020, 12/28/2021, 01/31/2023, 04/10/2023, 08/21/2023)
(Reviewed Only: 01/30/2019)

K9 Use

Eff. Date 09/18/2023

Purpose

The purpose of this standard operating procedure (SOP) is to outline the duties, responsibilities, and parameters for utilization and deployment of the Madison Police Department (MPD) K9 team. Subject to the provision of this SOP, MPD K9s trained in patrol applications may be utilized for area searches, building searches, tracking, evidence searches, narcotics detection, bomb detection, subject apprehensions, K9 handler protection, and community presentations.

The K9 handler is, at all times, responsible for the control of their dog. If there is a dispute in the field on the manner in which a K9 team is to be used and this SOP does not provide guidance, the immediate decision will be made by the K9 handler. The Chief of Police, or their designee, ultimately determines how and when all K9 teams will be utilized.

The function of MPD's K9 unit is to provide K9 support and service to MPD and, at times, to other jurisdictions. MPD K9s are trained in narcotics detention, explosive detection, and patrol functions, including apprehensions, building searches, tracking, area searches, and article searches.

Definitions

K9:	A trained police service dog used for law enforcement purposes
K9 handler:	An MPD officer assigned to use a K9 in the course of their duties
K9 team:	A K9 handler and their K9
Patrol K9:	A K9 trained in patrol functions, including tracking, building/area searches, apprehensions, K9 handler protection, and article searches
Single purpose K9:	A K9 trained for detection purposes, to include explosives and narcotics. May be trained in location tracking/trailing purposes
Dual purpose K9:	A K9 trained to perform both patrol and detection functions
Deployment:	Any directed use of the K9 to perform a trained function
Capital K9:	The City of Madison Police K9 and Equine Partners, Inc. (Capital K9s) is a non-profit 501(c)3, volunteer-run organization which exists to support the expansion and maintenance of the City of Madison Police Department K9 Unit and to educate the community about the value and effectiveness of using dogs in police work.

Duties and Responsibilities

The Executive Captain of Operations:

1) Has overall supervisory responsibility for the K9 unit
2) Reviews all instances when a K9 is involved in causing injury and ensures proper written documentation of the incident
3) Works with the K9 sergeant to develop unit goals
4) Annually audits the K9 unit narcotic training aids storage closet

The K9 Sergeant:

1) Reports directly to the Executive Captain of Operations
2) Functions as the liaison on all matters pertaining to the K9 unit
3) Serves as the direct supervisor to all K9 handlers
4) Participates in the selection process for new K9 handlers
5) Provides guidance and professional development to K9 handlers
6) Coordinates K9 unit training for K9 teams and other department members
7) Maintains records on K9 use, training, certification(s), and any on-duty or off-duty injuries caused by K9
8) Maintains and oversees the care and maintenance of training equipment
9) Maintains narcotic training aids for the K9 unit use and conducts regular audits of the training aids in conjunction with the Executive Captain of Operations
10) Completes and disseminates a quarterly and yearly statistical report to the Executive Captain and Assistant Chief of Operations
11) Ensures all K9 handlers are completing the proper documentation regarding K9 use
12) Functions as the liaison between MPD and Capital K9s
13) Annually reviews and updates the K9 handler manual
14) While on-duty, responds as the supervisor to complete the responsibilities of the Field Supervisor as outlined in the SOP “Use of Force Data Collection and Review”

K9 Use of Force Considerations

Utilization of a K9 as a use of force -while not considered deadly force- constitutes a high level of force that should be reserved for situations justifying the response. Both the intentional deployment of a K9 for apprehension and an off-lead search are considered K9 use of force. The primary goal of a K9 deployment as a use of force is to impede a subject.

When deciding whether or not to utilize a K9, K9 handlers will consider the following factors:

1) **The existence of alternative means of control** – how effective are the other use of force tools or techniques to gain control of the subject? A primary consideration is the need to deploy force from a safe distance, particularly against a subject against whom other use of force tools/techniques cannot be deployed (i.e., subject behind cover, in a dwelling, etc.). The appropriateness of other use of force tools/techniques is also a consideration (i.e., reactionary gap, etc.).
2) **The severity of the offense** – K9s should not be deployed against subject who have committed minor offenses. K9 deployment against a subject who has committed a misdemeanor offense may be warranted under some circumstances (ex: where the subject poses a significant risk to officers or to the public). In general, K9 apprehension deployments will be reserved for utilization against felony suspects. K9s should not be deployed to apprehend non-criminal subjects (ex: suicidal subjects) unless the K9 handler reasonably believes that the deployment is necessary to prevent the subject from causing death or great bodily harm to themselves, or to prevent the subject from causing harm to officers or the public.
3) **Whether the subject poses a significant threat to the safety of officers or the public** – K9s should not be deployed unless the subject poses a significant threat to the safety of officers or the public. Circumstances to be considered as part of this evaluation include the size, strength, and weaponry (if any) of the subject, as well as the environment in which the incident is occurring (ex: are members of the public exposed to danger?).
4) **Whether the subject is actively resisting arrest or attempting to evade arrest by flight** – K9s will not be deployed against subjects displaying only passive resistance, nor will they be deployed against subjects who are handcuffed. K9s are intended to provide a means to apprehend violent/assaultive/possibly armed subjects when no other reasonable means exist to attain immediate control of the subject.
5) **Potential risk of a K9 deployment to uninvolved individuals or officers** – K9s will not be deployed if doing so would create an unreasonable risk to uninvolved individuals or officers. This applies in the context of an open area deployment and to off-lead searches. Prior to

utilization of a K9 for a building search, K9 handlers should take reasonable steps to verify that no uninvolved parties are present in the building.

K9 Deployment

K9s may be used as an application of force under the following circumstances:

1) To assist in the arrest of or prevent the escape of subjects who pose a **significant threat to the safety of officers or the public**;
2) To conduct building or area searches for subjects who are reasonably believed to be a significant **threat to the safety of officers or the public**;
3) To overcome violent or assaultive behavior or its threat, if the officer reasonably believes that the subject poses an articulable significant threat of harm to officers or others and that a lesser degree of force would be insufficient or impractical;
4) To control a subject to prevent them from harming themselves or others, if a lesser degree of force would be insufficient or impractical;
5) To apprehend subjects who are concealed and who officer(s) can **reasonably articulate pose a significant threat to the safety of officers or the public.**

K9s shall not be utilized or deployed:

1) Primarily as a method of pain compliance;
2) To determine a subject's life status; or
3) For the purpose of crowd control or crowd management.

K9 Verbal Announcements

1) When feasible while deploying a K9 to apprehend a subject, the K9 handler will make a verbal warning to the subject.
2) When feasible, if there is a reasonable belief that a subject speaks a language other than English, an officer or other individual fluent in that language should be requested to issue verbal warnings.
3) When feasible and before commencing a search of a building, the K9 handler or other appropriate personnel will make three loud verbal announcements. The announcement shall include information that there are police officers on the premise and that a trained police K9 will be released and may bite if the subject does not surrender.
4) When feasible, a reasonable amount of time shall be allowed for the subject to respond. The warning shall be repeated whenever a K9 team approaches an area where the prior announcements may not have reached.
5) When apprehending subjects, the K9 shall be directed to disengage as soon as the subject is subdued and under control.

Assisting Outside Agencies

All outside agency requests for on-duty MPD K9 teams to assist must be approved by the MPD Officer in Charge (OIC) or an MPD supervisor subject to these guidelines:

1) The nature of the service requested
2) MPD staffing levels and workload at the time of the request
3) Any possible adverse effect an honored request would have on MPD's ability to provide services to the residents of Madison
4) K9 handlers may respond to assist other agencies without prior approval if it would be impractical to obtain prior approval
5) Approval for pre-planned enforcement activity outside of the City of Madison must be granted by the K9 Sergeant or by the Executive Captain of Operations.

MPD K9 teams shall, at all times, act in accordance with MPD policy and procedure. Upon arrival at the scene, the K9 handler has the ultimate decision as to whether or not the K9 is to be used for a specific assignment.

K9 teams should not be called out while off duty to assist outside agencies unless authorized by the OIC, K9 Sergeant, or Executive Captain of Operations.

K9 Use

1) K9s will not be used to sniff people
2) Any place or object may be sniffed by a K9 pursuant to a search warrant or with the valid consent of someone with sufficient authority (over the place or object) to grant consent; officers will not ask for consent to search in the immediate presence of a K9
3) Except in exigent circumstances, MPD officers will not conduct interviews of subjects or individuals in the immediate presence of a K9
4) A positive alert by a K9 constitutes probable cause and may be used to justify a search (if appropriate) or to seek a search warrant
5) When a K9 team has been requested to sniff a package, vehicle, door, locker, or other item, the item suspected of containing narcotics should remain unknown to the K9 handler prior to the sniff when possible
6) When requesting a K9 team to sniff a moveable item such as a package, the item suspected of containing narcotics should not be placed with other similar items prior to the sniff when possible

K9 Squad Use and Care

Each K9 handler will be assigned a permanent K9 squad primarily designed for K9 duty. The K9 handlers are authorized to maintain their assigned squads at their respective residences while off duty.

1) Routine maintenance shall be arranged by the K9 handlers upon request from City of Madison Fleet Services.
2) Assigned K9 squads are for official use only and may not be used for personal use.
3) Any K9 handler leaving an unattended squad running must ensure that the squad doors are locked.
4) No personal or permanent modifications are to be made to any K9 squad without the authorization of the Executive Captain of Operations.
5) The provisions of APM 2-13 apply to K9 vehicles.
6) Arrestees shall not be transported in the same vehicle with a K9 unless immediate transport is essential for safety or security reasons.

K9 Use and Care

1) MPD K9s shall not be used for breeding, participation in shows, exhibitions, or other on or off-duty employment unless authorized by the Executive Captain of Operations.
2) K9 handlers shall maintain their K9 both on and off duty in a safe and controlled manner.
3) The K9 program shall provide K9 handlers with proper exterior housing for their K9 if needed, and the K9 handler should conduct periodic inspections to ensure that the housing is properly maintained.
4) K9 handlers are personally responsible for the daily care, housing, and feeding of their K9 to include:
    a. Maintenance and cleaning of the K9's kennel and yard area;
    b. Providing adequate food and water;
    c. Grooming as needed;
    d. Providing adequate and appropriate exercise; and
    e. Providing medical attention as needed

5) Where the K9 handler is unable to perform these duties due to injury, illness, or leave:
    a. Another K9 handler may be assigned to temporarily care for the K9,
    b. The K9 may be housed in a department approved kennel, or
    c. The K9 Sergeant or their designee may temporarily care for the K9.
6) K9 handlers shall not permit anyone to pet, hug, or otherwise physically engage their K9 without their prior permission and only under the K9 handler's immediate supervision. Should an individual express a desire to do so, the K9 handler should inform the individual that police K9s are serious working dogs and that they can be dangerous if improperly approached.
7) A K9 may not be deployed off duty for any law enforcement purpose, unless exigent circumstances exist.
8) The K9 handler shall ensure that no individual taunts or teases the K9.
9) No MPD personnel shall attempt to handle or in any way give the K9 orders, unless given direct permission or instruction to do by the K9 handler.
10) Veterinary care of the K9 includes, but is not limited to, the following:
    a. The K9 handler is responsible for ensuring routine veterinary care is provided to their respective K9.
    b. In the event that a K9 is injured, the injury will immediately be reported to a K9 supervisor.
    c. Prior approval shall be received from the K9 supervisor to obtain veterinary care for the injury when possible.
    d. Depending on the severity of the injury, the K9 shall either be treated by their designated veterinarian or transported to an emergency medical facility for treatment. If the K9 team is out of the area of the City of Madison, the K9 handler may use the nearest available veterinarian.
11) A K9 handler may apply to take possession of their K9 when:
    a. The K9 is retired from duty or relieved from duty due to injury, or
    b. The K9 handler is transferred, promoted, or retires, and the decision is made not to retain the K9 for another K9 handler.

Injury Caused by a K9 – On-Duty

Whenever a K9 has bitten, scratched, or otherwise injured a subject while on-duty, whether intentional or unintentional, the K9 handler shall:

1) Assess and evaluate the subject or individual for injury and facilitate medical care from a qualified medical professional;
2) Immediately notify the OIC and K9 Sergeant;
3) Request the K9 Sergeant to respond to the scene; if the K9 Sergeant is unavailable, request an on-duty field supervisor to respond;
4) Obtain a signed authorization for release of medical information from the injured person, if possible;
5) Document the incident in a written report as soon as possible;
6) Document the incident in PackTrack to be reviewed by the K9 Sergeant and Executive Captain of Operations; and
7) Follow all other procedures as outlined in the "Use of Force Data Collection" SOP.

Injury Caused by a K9 – Off-Duty

Whenever a K9 has bitten, scratched, or otherwise injured an individual while off-duty, whether intentional or unintentional, the K9 handler shall:

1) Immediately notify the OIC and K9 sergeant; if immediate contact with the OIC and K9 Sergeant does not occur, the K9 handler will continue to attempt contact with chain of command until a supervisor is reached.
2) Complete written documentation of the incident to be reviewed by the K9 Sergeant.

K9 Team Qualifications and Training

New K9 handlers must complete a prescribed K9 training course and successfully meet all course requirements. All K9s must certify annually through a national certification organization as approved by the K9 Sergeant. Failure to participate in or qualify in initial or annual training certification will result in de-certification from the team. Noncertified K9 teams will not be deployed.

All certified K9 teams will participate in regular trainings to maintain proficiency in basic skills and ensure continued effective performance. The K9 Sergeant is responsible for ensuring that each K9 team receives adequate training and maintains appropriate certifications.

Record Keeping

1) The K9 handler will complete a police report each time their K9 is deployed.
2) The K9 handler will maintain an up-to-date training log and record all training activities, to include narrative evaluations. All pertinent documentation shall be logged in PackTrack.
3) The K9 Sergeant will review the training logs on a regular basis.
4) The K9 handler will maintain an updated resume for the K9 team to include training, awards, certifications, and yearly statistics.
5) The K9 Sergeant will compile the K9 unit statistics on a semi-annual basis.
6) The K9 handler will ensure records are kept of all veterinary expenses and procedures.

K9 Unit Narcotic Training Aids

The K9 unit may maintain possession of various types and quantities of narcotics for use as training aids. Some of these training aids are obtained from the Drug Enforcement Administration (DEA); the K9 Sergeant will maintain a registration number with the DEA to facilitate the acquisition of these aids.

The Executive Captain of Operations ultimately oversees the K9 unit narcotic training aids. The K9 Sergeant is responsible for determining the unit's need for narcotic training aids and for rotating the training aids to maintain freshness and purity of the aids. Training aids obtained from the DEA that are no longer needed will be disposed of as follows:

1) The K9 Sergeant will complete form DEA-41, listing the substance, quantity, and number of containers.
2) The narcotic training aids will be entered into the MPD property system- with a new MPD case number and property tag. The K9 Sergeant will complete an MPD report documenting this process.
3) The Police Property Supervisor and a witness will sign the DEA-41 form once destruction occurs and return the form to the K9 Sergeant.
4) The K9 Sergeant will return a copy of the DEA-41 form to the DEA and will submit one to MPD Records (associated with the MPD case number obtained for property tagging).

The K9 unit will store narcotic training aids in secure storage. Access to these safes will be limited to the K9 Sergeant, Executive Captain of Operations, and any MPD personnel who can operate as the Officer in Charge. Temporary access may be provided to the K9 handler if needed, as granted by the K9 Sergeant or Executive Captain of Operations.

Narcotic training aids will be checked out by the K9 handler and observed by the individual who granted access to the secure storage. K9 handlers are responsible for logging the checking in and out of the training aids and a witness must sign the log.

The K9 Sergeant will conduct a quarterly inventory of the K9 unit's narcotic training aids. The inventory will be forwarded to the Executive Captain of Operations and Professional Standards and Internal Affairs.

Request for Public Demonstrations

All public requests for a MPD K9 team demonstration must be approved by the K9 Sergeant. K9 handlers will not perform apprehension demonstrations to the public unless authorized to do so by the K9 Sergeant or Executive Captain of Operations.

Original SOP: 02/25/2015
(Revised: 02/24/2016, 01/15/2019, 01/15/2020, 12/21/2020)
(Reviewed Only: 11/01/2016, 12/26/2017)
(Name change and complete overhaul of SOP: 09/18/2023)

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80233

File ID:	80233	**File Type:**	Claim	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	Risk Manager
				File Created Date :	10/05/2023
File Name:	CLAIM: I. Zuehlke of Wisconsin Mutual Insurance for D. Kosinski - vehicle damage - $4,184.			**Final Action:**	

Title: I. Zuehlke of Wisconsin Mutual Insurance for D. Kosinski - vehicle damage - $4,184.

Notes: EVL004990

Sponsors:		**Effective Date:**	
Attachments:		**Enactment Number:**	
Author:		**Hearing Date:**	
Entered by:	mlloyd@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	COMMON COUNCIL	10/17/2023	Referred	Risk Manager		11/14/2023	
	Action Text:	This Claim was Referred to the Risk Manager					
1	Risk Manager	11/14/2023	RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER				
	Action Text:	This Claim was RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER					

Text of Legislative File 80233

Title

I. Zuehlke of Wisconsin Mutual Insurance for D. Kosinski - vehicle damage - $4,184.

Body

Claim received 10/02/2023.

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80340

File ID:	80340	**File Type:**	Claim	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	Risk Manager
				File Created Date :	10/11/2023
File Name:	CLAIM: M. Vanderfin - vehicle damage - $673.03.			**Final Action:**	
Title:	M. Vanderfin - vehicle damage - $673.03.				
Notes:	EVL005003				
Sponsors:				**Effective Date:**	
Attachments:				**Enactment Number:**	
Author:				**Hearing Date:**	
Entered by:	mlloyd@cityofmadison.com			**Published Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	COMMON COUNCIL	10/17/2023	Referred	Risk Manager		11/14/2023	
	Action Text:	This Claim was Referred to the Risk Manager					
1	Risk Manager	11/14/2023	RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER				
	Action Text:	This Claim was RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER					

Text of Legislative File 80340

Title

M. Vanderfin - vehicle damage - $673.03.

Body

Claim received 10/9/2023.

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80466

File ID:	80466	**File Type:**	Claim	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	Risk Manager
				File Created Date :	10/19/2023
File Name:	K. Huncosky - personal injury - $1,202.84.			**Final Action:**	
Title:	K. Huncosky - personal injury - $1,202.84.				
Notes:	EVL005036				
Sponsors:				**Effective Date:**	
Attachments:				**Enactment Number:**	
Author:				**Hearing Date:**	
Entered by:	mlloyd@cityofmadison.com			**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	COMMON COUNCIL	11/07/2023	Referred	Risk Manager		11/14/2023	
	Action Text:	This Claim was Referred to the Risk Manager					
1	Risk Manager	11/14/2023	RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER				
	Action Text:	This Claim was RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER					

Text of Legislative File 80466

Title

K. Huncosky - personal injury - $1,202.84.

Body

Claim received 10/17/2023.

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80604

File ID:	80604	**File Type:**	Claim	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	Risk Manager
				File Created Date :	10/31/2023
File Name:	CLAIM: C. Carranza - vehicle damage - $495.82.			**Final Action:**	
Title:	C. Carranza - vehicle damage - $495.82.				
Notes:	EVL005053				
Sponsors:				**Effective Date:**	
Attachments:				**Enactment Number:**	
Author:				**Hearing Date:**	
Entered by:	mlloyd@cityofmadison.com			**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	COMMON COUNCIL	11/07/2023	Referred	Risk Manager		11/14/2023	
	Action Text:	This Claim was Referred to the Risk Manager					
1	Risk Manager	11/14/2023	RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER				
	Action Text:	This Claim was RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER					

Text of Legislative File 80604

Title

C. Carranza - vehicle damage - $495.82.

Body

Claim received 10/25/2023.

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80608

File ID:	80608	**File Type:**	Claim	**Status:**	Report of Officer
Version:	1	**Reference:**		**Controlling Body:**	Risk Manager
				File Created Date :	10/31/2023
File Name:	CLAIM: C. Chang - bodily injury - $15,000.			**Final Action:**	
Title:	C. Chang - bodily injury - $15,000.				
Notes:	EVL005057				
Sponsors:				**Effective Date:**	
Attachments:				**Enactment Number:**	
Author:				**Hearing Date:**	
Entered by:	mlloyd@cityofmadison.com			**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	COMMON COUNCIL	11/07/2023	Referred	Risk Manager		11/14/2023	
	Action Text:	This Claim was Referred to the Risk Manager					
1	Risk Manager	11/14/2023	RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER				
	Action Text:	This Claim was RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER					

Text of Legislative File 80608

Title

C. Chang - bodily injury - $15,000.

Body

Claim received 10/26/2023.

City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 80625

File ID:	80625	**File Type:**	Ordinance	**Status:**	Items Referred
Version:	1	**Reference:**		**Controlling Body:**	VENDING OVERSIGHT COMMITTEE
				File Created Date :	10/31/2023
File Name:	Vending Oversight Composition			**Final Action:**	

Title: Amending Section 9.12 of the Madison General Ordinances to remove the alternate position and replace the State Street area resident with a resident from any part of the city and make editorial corrections.

Notes: 6807VendOversightComposition

Sponsors:	Michael E. Verveer And Kristen Slack	**Effective Date:**	
Attachments:		**Enactment Number:**	
Author:	Lara Mainella	**Hearing Date:**	
Entered by:	mglaeser@cityofmadison.com	**Published Date:**	

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	10/31/2023	Referred for Introduction				
	Action Text:	This Ordinance was Referred for Introduction					
	Notes:	Vending Oversight Committee (10/25/23), Common Council (11/21/23)					
1	COMMON COUNCIL	11/07/2023	Refer	VENDING OVERSIGHT COMMITTEE			Pass
	Action Text:	A motion was made by Currie, seconded by Figueroa Cole, to Refer to the VENDING OVERSIGHT COMMITTEE. The motion passed by voice vote/other.					

Text of Legislative File 80625

Fiscal Note

No City appropriation required.

Title

Amending Section 9.12 of the Madison General Ordinances to remove the alternate position and replace the State Street area resident with a resident from any part of the city and make editorial corrections.

Body

DRAFTER'S ANALYSIS: This ordinance makes two minor changes to the composition of the Vending Oversight Committee. First, it removes the alternate position. Second, it changes the

requirement for one resident member to reside in the State Street/Capitol Concourse area. Instead, that resident can be from any part of the City. This amendment also makes minor editorial clean-up changes, including adding the current June 1 expiration date for resident members.

****

The Common Council of the City of Madison do hereby ordain as follows:

1. Subsection (2) entitled "Composition, Appointments and Terms" of Section 9.12 entitled "Vending Oversight Committee" of the Madison General Ordinances is amended as follows:

"(2) Composition, Appointments and Terms. The Vending Oversight Committee shall consist of five (5) voting members~~, one (1) alternate voting member,~~ and up to four (4) non-voting, technical advisors, as follows:

(a) ~~Five (5) voting members and one (1) alternate.~~ Voting Members. The voting membership shall include one (1) alder~~person~~ from a downtown district, ~~and~~ one (1) alder from another part of the City, ~~one (1) resident of the State Street or Capitol Concourse area eligible to vote in the City, two (2)~~ and three (3) residents~~, and (1) alternate~~. ~~As of the effective date of this Ordinance (ORD-07-00138) no~~ No person who currently holds a City of Madison vending license under Secs. 9.13, 9.135 or 9.136 shall be appointed as a voting member of the VOC or any subcommittee of the VOC.

(b) Technical Advisors. Not more than four (4) non-voting technical advisors, who shall be vendors holding a valid vending license under Secs. 9.13, 9.135 or 9.136 from the City of Madison, or others with specialized knowledge or interest in street vending and the duties and responsibilities of the VOC. Technical advisors shall serve a regular term of appointment, may sit at the table and participate in discussion of all matters before the VOC (except a matter affecting that vendor's license), but shall not vote on any matters. Technical advisors may be appointed to subcommittees but only in their non-voting, advisory capacity. If a technical advisor's vending license is suspended, revoked, non-renewed or other adverse action is taken against the license, they shall not sit at the table or participate in any discussions at the meeting(s) at which the license is scheduled for action, and they shall lose their VOC appointment and the position is deemed vacated as of the date of the VOC's decision taking action against the license. If no action is taken against the license, the vendor may remain in their position as technical advisor.

(c) The Greater State Street Business Association ("GSSBA") or successor organization may recommend a voting member or a non-voting technical advisor, subject to Sub. (2)(d) below.

(d) Appointments of all members and non-voting technical advisors shall be made by the Mayor, subject to approval of the Common Council.

(e) Quorum. The quorum shall be determined according to Sec. 33.01(8)(c). Non-voting advisors shall not be counted for purposes of establishing a quorum.

(f) Appointment Terms. The ~~full~~ term for alderperson members shall be two (2) years, as set forth in Sec. 33.01(6)(a). The ~~full~~ term for resident members and non-voting technical advisors shall be three (3) years, expiring on June 1 in the third year following appointment. All vacancies shall be filled by the Mayor, subject to approval of the Common Council, for a term filling out the remainder of the vacated member's term."

2. Subsection (3) entitled “Officers” of Section 9.12 entitled “Vending Oversight Committee” of the Madison General Ordinances is amended as follows:

“(3) Officers. The members of the VOC shall annually elect a chairperson and vice chairperson from among its voting membership at the Committee's first meeting in June. See Sec. 33.01(~~2~~7)(d) regarding eligibility of alderpersons as officers. The Director of Planning and Community and Economic Development or designee, a non-member, shall act as Executive Secretary to the VOC. The Executive Secretary shall prepare the agenda and minutes of the VOC's meetings and shall perform such other duties as the VOC shall direct.”

3. Subsection (5) entitled “Rules of Procedure” of Section 9.12 entitled “Vending Oversight Committee” of the Madison General Ordinances is amended as follows:

(5) Rules of Procedure. The VOC shall adopt ~~Rules of Procedure and Basic Policies~~ rules of procedure which may from time to time be amended by the VOC. Such rules may include provision for delegation of the powers and responsibilities of the VOC to a Subcommittee or Subcommittees composed exclusively of VOC members.