

PLANNING DIVISION STAFF REPORT

February 16, 2026

PREPARED FOR THE PLAN COMMISSION



Project Address: 437 S Yellowstone Dr (District 19 – Alder Guequierre)
Application Type: Conditional Use
Legistar File ID # [91509](#)
Prepared By: Colin Punt, Planning Division
Report includes comments from other City agencies, as noted.
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Tom Denaway; MSP Real Estate, Inc.; 7901 W National Ave, Suite C; West Allis, WI 53214

Contact: Ray White; Dimension IV - Madison, LLC; 6515 Grand Teton Plaza, Suite 120; Madison, WI 53719

Owner: 437 Yellowstone, LLC; 7901 W National Ave, Suite C; West Allis, WI 53214

Requested Action: The applicant is seeking approval of the following conditional uses in the SE (Suburban Residential) district:

- Dwelling units in a mixed-use building per § 28.082(1) MGO.
- A building exceeding the district maximum height per § 28.085(3)(d) MGO.

Proposal Summary: The applicant is seeking approvals to construct a six-story mixed-use building with 130 units and 650 square feet of commercial space.

Applicable Regulations & Standards: Standards for conditional use approval are found in §28.183(6) MGO.

Review Required By: Plan Commission

Summary Recommendations: The Planning Division recommends that the Plan Commission find that all applicable standards of approval for conditional uses are met and **approve** the requested conditional use for the proposed mixed-use building subject to input at the public hearing and the conditions recommended by the reviewing agencies beginning on page 5.

Background Information

Parcel Location: The subject site is 1.49 acres and located at the northeast quadrant of the intersection of South Yellowstone Drive and Enterprise Lane. The site is within Alder District 19 (Alder Guequierre) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The site is zoned SE (Suburban Employment district) and currently occupied with 26,000-square foot two-story multitenant commercial/office building.

Surrounding Land Uses and Zoning:

North: A three-story retirement home zoned SE;

West: Across South Yellowstone Drive, a three-story office building zoned SE;

South: Across Enterprise Lane, one-, two-, and three-story office buildings zoned SE; and

East: Two-story office building zoned SE.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2023) recommends medium residential (MR). The [West Area Plan](#) (2024) also recommends medium residential (MR).

Zoning Summary: The subject property is proposed to be zoned SE (Suburban-Employment district):

Requirements	Required	Proposed
Lot Area (sq. ft.)	20,000 sq. ft.	64,765 sq. ft.
Lot Width	65'	>65'
Front Yard Setback	0' or 5'	20.0'
Max. Front Yard Setback: TOD	20'	20.0'
Side Yard Setback: Street side yard	0' or 5'	20.0'
Side Yard Setback	15' or 20% building height	16.1'
Rear Yard Setback	30'	Adequate
Maximum Lot Coverage	75%	74%
Minimum Building Height: TOD	2 stories/22' measured to building cornice	6 stories/ 76'0"
Maximum Building Height	5 stories/68'	6 stories/76'0"

Site Design	Required	Proposed
Number Parking Stalls	No minimum required: TOD	43 surface 130 garage (173 total)
Electric Vehicle Stalls	EV ready: 20% (35)	7 EV installed 35 EV ready (see Zoning comment 3)
Accessible Stalls	Yes	Yes
Loading	Not required	None
Number Bike Parking Stalls	Multi-family dwelling: 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (130) 1 guest space per 10 units (13) Office: 1 per 2,000 sq. ft. floor area (2 minimum) (145 total)	13 surface 132 garage (145 total) (see Zoning comment 4-6)
Landscaping and Screening	Yes	Yes (see Zoning comment 7)
Lighting	Yes	Yes
Building Form and Design	Yes	Flex building (see Zoning comment 8)

Other Critical Zoning Items	Barrier Free (ILHR 69), Utility Easements, TOD Overlay
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Table Prepared by Jenny Kirchgatter, 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. The nearest public park is Nautilus Point Park, north of Mineral Point Road.

Project Description

The applicant is seeking the necessary conditional use approvals for dwelling units in a mixed-use building and a building exceeding the SE district maximum height in order to construct a six-story mixed-use building with 130 dwelling units and a small commercial space.

The six-story building occupies the southern two thirds of the site. The main entrance is at the northwest corner of the building. In addition to the lobby, entrance lounge, leasing office, and the 650-square-foot commercial space, there are six apartment units on the first floor, with the other 124 units on floors two through six. In addition to apartment units, the second floor includes a fitness room and a community room that opens onto a roof terrace with small green roof areas above the first floor. Floors two through six are generally oriented in a U-shape opening to the south. The unit breakdown is 60 one-bedroom units and 70 two-bedroom units. The provided roof plan shows individual mechanical units and areas for possible future solar arrays.

The primary façade material for the first floor is a dark gray brick veneer. Primary façade materials for upper floors include a light gray fiber cement lap siding and a lighter color blend cement lap siding. Other significant façade materials are a wood tone metal siding and black fiber cement lap and panel siding. Trim and accent materials include metal balconies and railings, metal coping, aluminum-framed storefront units, and black and white vinyl door, window, and balcony trim.

Vehicle access to the site is through a driveway on South Yellowstone Drive at the northwest corner of the lot. The driveway provides access to surface parking along the north lot line, as well as a pick-up and drop-off lane at the northwest corner of the building, over which a canopy projects. The surface lot the north of the building provides parking for 43 vehicles. Access to 130 structured vehicle parking stalls located within the lower level and first floor is from the surface parking lot, immediately east of the drop-off lane. Additionally, plans show 132 indoor long-term bicycle parking stalls and 13 outdoor short-term stalls.

Landscaping includes turf grass lawn, shade trees, and larger deciduous trees along the street frontages. There is also low-level plantings that include evergreen and deciduous shrubs, ornamental grasses, and perennials around the base of the building, as well as planting beds and a retaining wall at the corner of South Yellowstone Drive and Enterprise Lane.

According to the letter of intent, the applicant intends to commence demolition of the existing building in January 2027 with construction of the new building completed by April 2028.

Analysis

This request is subject to the standards for conditional uses. This section begins with a summary of adopted plan recommendations, and includes a review of conditional use standards, and finishes with an overview of public comment.

Consistency with Adopted Plans

The [Comprehensive Plan](#) (2023) recommends medium residential (MR). MR areas generally include larger multifamily buildings or multifamily complexes, sometimes interspersed with other smaller housing types. New development is generally expected in the range of two to five stories in height and residential densities of about 20-90 dwelling units per acre. The [West Area Plan](#) (2024) also recommends medium residential (MR). While the

proposal is one story taller than the recommended height within the adopted plans, staff believes that proposal could be found to be generally consistent with the plan recommendations.

Conditional Use Standards

The applicant is requesting approval of conditional uses for the dwelling units in a mixed-use building and height in excess of the district maximum. Regarding conditional use approval standards, the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of §28.183(6) MGO are met. Staff advises the Plan Commission that in evaluating the conditional use standards, State law requires that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation.

§28.183(6) M.G.O. lists sixteen approval standards, of which not all are applicable to every conditional use. For this request, Standards 7, 9, 10, and 12-16 do not apply, while standards 1-6, 8, and 11 are applicable. Staff believes that the Plan Commission can find standards 1-6 to be met, and this report provides additional staff analysis regarding standards 8, and 11.

Staff notes considerations with regard to standard 8, which states, in part, that "...the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district..." Staff note that the submitted plans do not show any HVAC louvers or "wall packs" on the building facades. It has been the practice of the Plan Commission to discourage the placement of wall packs on any street-facing facades. Staff recommend that if added later, "wall packs" on street-facing walls will require approval of an alteration to the conditional use. Staff believe that if the recommended conditions of approval are addressed satisfactorily, the Plan Commission can find standard 8 to be met.

Staff also notes considerations with regard to the conditional use request to exceed the district maximum height, which is directly referenced in standard 11 and which states that "When applying the above standards to an application for height in excess of that allowed in the district, the Plan Commission shall consider recommendations in adopted plans; the impact on surrounding properties, including height, mass, orientation, shadows and view; architectural quality and amenities; the relationship of the proposed building(s) with adjoining streets, alleys, and public rights of ways; and the public interest in exceeding the district height limits." The SE zoning district allows new mixed-use buildings at heights of up to 5 stories and 68 feet as permitted uses, but allow the Plan Commission to approve taller buildings as conditional uses.

While the inconsistency between the proposal and the five-story plan recommendation does not necessarily preclude this standard from being found met, it is taller than what is recommended and the aforementioned standard directly references plan consistency among the considerations when evaluating excess height. Careful consideration should be also given to the surrounding context and resulting impacts as noted in the standard. The [Comprehensive Plan](#) and the [West Area Plan](#) recommend CMU (Community Mixed-Use) development, which is recommended up to six stories, immediately across the street south of Enterprise Lane and west of South Yellowstone Drive. Further, the Plan Commission approved two six-story mixed use buildings in 2023 near this site, both of which are completed: 6604 Odana Road (ID [74260](#)) 800 feet to the southwest and 426 South Yellowstone Drive (ID [77010](#)) 200 feet to the northwest. While staff remains concerned about the precedent of approving height above what is recommended in the adopted plans, staff believes it may be possible that the Plan Commission could find standard 11 is met based on contextual considerations. Staff have recommended a condition to require further review if any changes to the design result in additional height.

Public Comment

Staff has received written public comment regarding this application that has been attached to the legislative file for this request. New written comments will be added to the legislative file as they are received.

Conclusion

Staff has expressed concerns regarding approval standard 8, but believe can be found to be met, especially with the recommended conditions of approval. Due to the height of the building, Staff has also expressed concerns regarding whether approval standard 11 can be met. However, when considering the adopted plan recommendations, the proposed uses and the scale of the proposed building, surrounding land uses, recommended conditions of approval, and surrounding context, staff believes that, on balance, the Plan Commission can find that standard 11 can be found met. Further, staff believes that all other applicable conditional use standards of approval (standards 1-6) can be found met.

Recommendation

Planning Division Recommendations (Contact Colin Punt 243-0455)

The Planning Division recommends that the Plan Commission find that all applicable standards of approval for conditional uses are met and **approve** the requested conditional use for the proposed mixed-use building subject to input at the public hearing and the conditions recommended by the reviewing agencies below.

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

Planning Division (Contact Colin Punt, 608-243-0455)

1. No HVAC “wall-pack” penetrations/louvers are shown on the street-facing facades. Unless specifically approved by the Plan Commission, the addition of wall packs on outward-facing walls is not included in this approval and will require approval of an alteration to this conditional use should they be proposed at a later time.
2. Any additional height above the existing parapet height, including elevator penthouses, stair towers, or mechanical equipment screening or enclosures will require approval of an alteration to this conditional use should it be proposed at a later time.

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

3. Provide electric vehicle ready stalls per Section 28.141(8)(e) Electric Vehicle Charging Station Requirements. A minimum of 20% of the parking stalls (35 stalls) must be electric vehicle ready. Identify the locations of the electric vehicle ready stalls on the plans.
4. Bicycle parking for the residential dwelling units shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11) and shall be designated as short-term or long-term bicycle parking. A minimum of 130 resident bicycle stalls are required plus a minimum of 13 short-term guest stalls. 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. NOTE: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area.

5. Bicycle parking for the commercial tenant space shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of two (2) short-term bicycle parking stalls located in a convenient and visible area on a paved or pervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area.
6. A bicycle parking adjustment will be required per MGO Sections 28.141(5) and 28.141(11) for the percentage of structured, vertical or wall mount parking exceeding 25%. Submit a request for a bicycle parking adjustment with the final plan submittal including information to support the adjustment.
7. Provide landscape details for the second floor roof terrace including for the green roof, planter, pergola, and activity areas.
8. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first sixty (60) feet from grade are comprised of less than fifty percent (50%) glass, at least eighty-five percent (85%) of the glass on glass areas fifty (50) square feet or over must be treated. Of all glass areas over fifty (50) square feet, any glass within fifteen (15) feet of a building corner must be treated. Identify which glass areas are 50 sq. ft. or greater and which glass areas will be treated. Provide the window and door schedule to verify the sizes of the glazed areas and mullions. Provide a detail of the specific bird-safe treatment product that will be used.
9. Work with Zoning staff to establish a project completion date. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval.
10. 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.

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

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| <p>11. Projected wastewater calculations required. Offsite sewer may be required by the developer as a condition for development. Applicant shall submit projected wastewater flow calculations to Mark Moder, mmoder@cityofmadison.com.</p> |
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12. Obtain a permit to Excavate in the Right-of-Way for completing the improvements in the public Right-of-Way. The permit application is available on the City Engineering Division website at <https://www.cityofmadison.com/engineering/permits/excavation-in-the-right-of-way-permit>. As a condition of the permit a deposit to cover estimated City expenses will be required.
 13. 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))
 14. 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))

15. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
16. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
17. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
18. This site appears to disturb 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.
19. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used. (POLICY AND MGO 10.29)
20. This area is within a watershed study for flood mitigation and has a known flooding risk. The minimum opening elevations for structures proposed by this application shall have a low entrance elevation that is a minimum of 1036.8. The stated elevation is intended to be protective but does not guarantee a flood proof structure. The Developer/Owner are strongly encouraged to complete their own calculations and determine an elevation that protects their property to a level of service that they are comfortable with.
21. 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.
22. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>
Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.
23. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management

Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

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

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

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

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

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

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

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

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

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

25. Release the flow arrow restrictions along the dividing line of lots 124 and 125 and along lot 125 and Lot 1 of CSM 13558. Any portion(s) of a public easement or restriction placed on a plat for public purposes, 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.

26. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, a retaining wall that are necessary to accomplish the land division or site development as proposed prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance. Note there is an existing retaining wall that meanders the easterly parcel limits. determine who owns this wall and form an agreement for the rights and maintenance for this wall to remain on the parcel line as proposed.

27. The proposed new building crosses an underlying platted lot line. Prepare a Certified Survey Map (CSM) and submit to the Planning Unit to dissolve underlying lot lines to comply with fire codes, City Ordinances and City Policies. The CSM shall be approved by the City, recorded with the Dane County Register of Deeds 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 and early start permits for new construction.
28. 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/CSM.
29. Show and note the existing flow arrow restrictions across the parcel on the face of the site plan per the Tenth Addition to Park Towne.
30. Note this Plat is subject to the DCCR's in Doc No. 1649155 which makes it subject to Doc No. 1258523 which has setbacks parking setbacks and use limitations, neither of these were listed in the ALTA/NSPS survey provided. Work with Park Towne Association for any approvals needed.
31. Confirm proposed improvements, paving, large plantings, and storm sewer crossing will be allowed within the limits of the 12' utility easement as set forth on the Plat and the Right-of-way grant for underground electric per Document no. 1940881, with the utility companies serving this area having rights and existing utilities within the easements.
32. The address of 437 S Yellowstone Dr will be inactivated and archived with the demolition of the existing building.
The address for the proposed apartments is 433 S Yellowstone Dr.
The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
33. A Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD).
34. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. Also, include a per floor unit matrix for apartment buildings.
The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) PRIOR to the verification submittal stage of this LNDUSE with Zoning. The final approved Addressing Plan shall be included in said Site Plan Verification application materials or a revised plan shall provided for additional review and approval by Engineering.
Per 34.505 MGO, a full copy of the approved addressing plan shall be kept at the building site at all times during construction until final inspection by the Madison Fire Department.
For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved.

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

35. The applicant shall be financially responsible for adding marked crosswalks on S. Yellowstone Drive.

36. 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.
37. 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.
38. The City Traffic Engineer may require public signing, marking and street lighting related to the development; the Developer shall be financially responsible for such signing, marking and street lighting.
39. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
40. "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.
41. Applicant is encouraged to consider moving Elevator Lobby door in basement to south face of lobby, this would direct pedestrians out of the drive aisle as they exit lobby.
42. 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. Note that driveways are to be concrete and not asphalt as shown on plan per MGO 10.08(4)(g).
43. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan. Terrace shall be restored and seeded with grass.
44. Applicant shall submit for review a Waste Removal Plan. This shall include vehicular turning movements, times, vehicle size, use of loading zones and all related steps to remove trash from its location.
45. 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.
46. Include a parking plan demonstrating how specific stalls, to be used by the commercial site, will be reserved. Include any signage to be used to achieve this goal in the submitted plans.
47. To allow for proper pedestrian movement and prevent encroachment from irregularly parked bicycles or bicycle with trailers, all bicycle racks shall have a 5' backup space.
48. The applicant shall provide clearly defined 5' ADA accessible walkways from both the residential and commercial entrances to the public sidewalk clear of all obstructions to assist citizens with disabilities,

especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.

49. Applicant shall submit for review a vehicular turning movement template demonstrating the use of the drop off and pick-up entry. Applicant shall verify adequate vertical clearance for tall vehicles at the drop off and pick-up entry.
50. 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.
51. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). If applicant believes public safety can be maintained they shall apply for a waiver of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the waiver shall be the determination of the City Traffic Engineer. Contact Jeremy Nash with Traffic Engineering at 608-266-6585 or jnash@cityofmadison.com to begin waiver process.
52. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.

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

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(6)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the West Park-Infrastructure Impact Fee district. The Park Impact Fee ID# for this project is 25096. Visit <https://www.cityofmadison.com/parks/about/impactFees.cfm> for information about Park Impact Fee rates, calculations, and payment process.

Forestry Section (Contact Zachary Eckberg, 608-266-4816)

54. 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 (diamater 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.
55. 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.

56. City Forestry will issue a street tree removal permit for (X) tree(s) (dbh) diameter (variety) tree due to (reason) at (location). 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.
57. 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.
58. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within (DBH in 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/engineering/documents/standard-specifications/2026/CompleteSpecBook.pdf> Add as a note on the site, grading, utility, demolition and street tree plan sets. Note: each individual tree may have it's own unique tree protection zone
59. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/engineering/documents/standardspecifications/2026/CompleteSpecBook.pdf>) 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 (DBH in feet) of the tree or within the protection zone is prohibited. Add as a note on both the site and street tree plan sets. Note: each individual tree may have it's own unique tree protection zone
60. 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 (DBH in 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. Note: each individual tree may have it's own unique tree protection zone
61. 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.
62. 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.
63. 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.

64. 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)

65. The existing water main along Yellowstone is 10-Inch. Utility plan indicates 8-Inch.

66. 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 Tim Sobota, 608-261-4289)

67. Metro Transit operates daily all-day transit service along Odana Road near this property - with trips at least every 60 minutes (every 30 minutes or less during the day on weekdays). Metro Transit operates additional daily all-day rapid transit service along Mineral Point Road near this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays and Saturdays).

68. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 98 Weekday & 66 Weekend. Please contact Metro Transit if additional analysis would be of interest.

Parking Utility (Contact Trent Schultz, 608-246-5806)

69. The applicant shall receive final approval of a Transportation Demand Management (TDM) Plan, occurring after Plan Commission approval of the project. Work with staff to finalize requested clarifications on the TDM Plan. TDM Plan review fees will be required as part of final site plan review sign off.

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

The Fire Department and City Assessor has reviewed this request and has recommended no conditions of approval.