



Project Address: 5133-5237 University Avenue
Application Type: Demolition Permit and Conditional Use
Legistar File ID # [59187](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted
Reviewed By: Kevin Firchow, Planning Division

Summary

Applicant & Property Owner: Tom Degen, Degen & Associates, LLC; PO BOX 5567; Madison.

Contact Person: Justin Frahm, JSD Professional Services, Inc.; 7402 Stone Ridge Drive, Suite 4; Weston.

Requested Actions: Consideration of a demolition permit to demolish an office building and restaurant; consideration of a conditional use in the Suburban Employment (SE) zoning district for multi-family dwellings; consideration of a conditional use in the SE District for a dwelling units in a mixed-use building; consideration of conditional use in the SE District for live/work units; and consideration of a conditional use in the SE District for outdoor recreation, all to construct a mixed-use development containing 11,150 square feet of commercial space and 79 apartments in three buildings.

Proposal Summary: The applicant wishes to demolish the former Perkins restaurant located at 5237 University Avenue and a one-story metal building used as offices at 5133 University to allow construction of three mixed-use buildings. The westernmost building will be a four-story mixed-use building containing 4,750 square feet of commercial space planned for a future restaurant tenant, 3,500 square feet of commercial flex space, and 25 apartments. Along the southern property line, the applicant proposes a four-story mixed-use building containing 1,700 square feet of commercial space and 30 dwelling units, and a third four-story mixed-use building containing 1,200 square feet of commercial space and 24 dwelling units. Parking for the project will include a combination of first floor, underground, and surface automobile and bike parking. The project is scheduled to commence construction in summer 2020, with completion anticipated in summer 2021.

Applicable Regulations & Standards: Table F-1 in Section 28.082 identifies dwelling units in mixed-use buildings and food and beverage establishments as conditional uses in the SE (Suburban Employment) district. Section 28.211 defines a “live/work unit” as “a dwelling unit in combination with a shop, office, studio, or other work space within a mixed-use building, where the resident occupant both lives and works.” Live/work units are subject to supplemental regulations in Section 28.151 of the Zoning Code. Section 28.141(13) establishes the minimum number of loading spaces required based on the size of the establishment, which may be reduced through conditional use approval. Section 28.183 provides the process and standards for the approval of conditional use permits. Section 28.185 provides the process and standards for the approval of demolition and removal permits. The subject site is located in Urban Design Dist. 6; the requirements for new development in that district are governed by Section 33.24(13) of the Urban Design Commission ordinance.

Review Required By: Urban Design Commission and Plan Commission

Summary Recommendation: If the Plan Commission can find that the standards for demolition permit and conditional use approval are met, the Planning Division recommends that its **approve** the demolition of an office building and restaurant and construction of a mixed-use development containing 11,150 square feet of

commercial space and 79 apartments in three buildings at 5133-5237 University Avenue subject to the conditions recommended by the Urban Design Commission, input at the public hearing, and the conditions from reviewing agencies beginning on page 9 of this report.

Background Information

Parcel Location: An approximately 3.5-acre parcel generally located on the southerly side of University Avenue between N Whitney Way and Craig Avenue and opposite Flambeau Road; Aldermanic District 19 (Furman); Urban Design Dist. 6; Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site is developed with a one-story, 8,200 square-foot Quonset hut located at 5133 University Avenue, which is used as storage and office and includes a partial basement, and a one-story, 5,000 square-foot “Perkins” restaurant located at 5237 University. The site is zoned SE (Suburban Employment District).

Surrounding Land Uses and Zoning:

North: Single-family residences and Madison Water Utility Well 14 north of University Avenue, zoned SR-C1 (Suburban Residential–Consistent 1 District) and Spring Harbor Park, zoned CN (Conservancy District);

W/S: Trillium Homes, zoned TR-P (Traditional Residential–Planned District);

East: Spring Harbor Animal Hospital, Midas auto repair, Motorcycle Performance, and Moka along University Avenue, zoned SE (Suburban Employment District); UW Health Digestive Health Clinic, zoned PD.

Adopted Land Use Plans: The 2018 Comprehensive Plan recommends the subject site and properties to the southeast along the southerly side of University Avenue for Community Mixed-Use development. The Trillium Homes development adjacent on the west and south is recommended for Medium Residential, with lands further to the west and to the north across University Avenue recommended for Low Residential.

The subject site is also located within the boundaries of the 2006 Spring Harbor Neighborhood Plan, which includes land use recommendations that largely follow the 2006 Comprehensive Plan recommendations for the property, which called for employment uses for the site and properties to the southeast before transitioning to community mixed-use development at N Whitney Way. The Spring Harbor Neighborhood Plan also includes various design recommendations for new development and the University Avenue corridor.

Zoning Summary: The site is zoned SE (Suburban Employment District):

Requirements	Required	Proposed
Lot Area (sq. ft.)	20,000 sq. ft.	151,705 sq. ft.
Lot Width	65'	Greater than 65'
Front Yard	None	3'
Side Yards	15' or 20% of building height	26' north west 15.1' south east
Rear Yard	30'	60'
Maximum Lot Coverage	75%	65%
Useable Open Space	400 sq. ft./ unit (31,600 sq. ft.)	34,050 sq. ft.
Minimum Building Height	22'	4 stories/50 feet
Maximum Building Height	5 stories/ 68'	4 stories/ less than 68'

Requirements	Required	Proposed
Auto Parking	No minimum per SE district	204: 116 (Structured), 88 (Surface)
Accessible Stalls	Yes	9
Bike Parking	Multi-family dwelling: 1 per unit up to 2-bedrooms, 0.5 space per add'l bedroom (82); 1 guest space per 10 units (8); Food & Beverage: 5% of capacity (9); General Retail & Office: 1 per 2,000 sq. ft. floor area (3)-102	96 (See conditions)
Loading	1 (10' X 50')	None – Requires conditional use
Building Forms	Flex Building	Complies with requirements
Other Critical Zoning Items		
Yes:	Wellhead Protection (Zone A, WP 14), Urban Design (Urban Design Dist. 6), Barrier Free, Utility Easements	
No:	Floodplain, Landmarks, Waterfront Development, Adjacent to Park	
<i>Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator</i>		

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

Public Utilities and Services: The site is served by a full range of urban services, including seven-day Metro Transit service along University Avenue.

Project Description

The applicant is requesting approval to demolish a restaurant located at 5237 University Avenue and a one-story Quonset hut used as offices at 5133 University to allow construction of three mixed-use buildings on the 3.5-acre site.

The subject site is U-shaped and includes frontage along the southerly side of University Avenue at two locations. On the western edge of the site, the parcel proposed for redevelopment has approximately 228 of frontage along the street before the property recedes approximately 190 feet behind three commercial properties – 5201, 5205, and 5227 University – before extending out to the street again in a 30-foot strip. The southwesterly rear line of the overall parcel extends approximately 545 feet in length. The site is characterized by modest slope that falls towards the center of the property from the side and rear property lines, and by a 10-inch diameter sanitary sewer main and a 19.5-foot by 6-foot box culvert storm sewer extend south to north through the center of the site along the common line between 5133, 5227, and 5237 University Avenue. Access to the site is primarily provided by an existing restricted median break from University Avenue, which allows left-in/right-in/right-out access to the site. A second driveway is located within the 30-foot wide strip that connects the 5133 parcel to University Avenue, which is shared with the motorcycle-related business at 5205.

From east to west, 5133 University Avenue is developed with a one-story, 8,200 square-foot Quonset Hut building used as storage and office, which was constructed in 1954 according to City records and includes a 4,000 square-foot partial basement (12,300 square feet of gross floor area). The building is served by a small parking area along the southerly wall. The one-story former Perkins restaurant on the 5237 University parcel was constructed in 1977 and contains approximately 5,000 square feet of floor area, with surface parking for approximately 100 cars to

the south and east of the building. Photos of the interior and exterior of both buildings are included in the Plan Commission materials for this project.

Following demolition, the three buildings proposed will parallel the northwesterly side and southwesterly rear property lines. The westernmost building will be a four-story mixed-use building containing 4,750 square feet of commercial space planned for a future restaurant tenant, 3,500 square feet of other commercial space, and 25 apartments ("Building A"). The proposed 4,750 square-foot future restaurant space will occupy the northernmost quarter of the first floor and include space on the second floor, which will be accessible from an interior stair. A patio/plaza is proposed off the northern wall, which will be raised above the University Avenue sidewalk and be accessible from the restaurant tenant space. The 3,500 square feet of commercial space will occupy the center of the first floor, with the remainder of the first floor reserved for residential lobby and tenant services at the southern end. The remainder of the second floor and all of the third and fourth floors will be developed with the 25 residential units.

Along the southern property line, "Building B" will be a four-story mixed-use building that will include 1,700 square feet of commercial space in three tenant spaces located along the north wall of the first floor and 17 auto parking stalls and 16 bike parking stalls comprising the remainder of the first floor. Thirty (30) dwelling units will be located on the second through fourth floors of Building B.

In addition to the first floor parking proposed in Building B, the applicant proposes a level of parking to extend beneath Buildings A and B. Access to the L-shaped parking level below Buildings A and B will be accessed from a driveway entrance along the eastern wall of Building B. Parking for 88 autos and 26 ground-mounted bike parking stalls. Additional bike parking opportunities are proposed on ceiling-mounted bike hooks located above many of the auto parking stalls in the garages.

Finally, "Building C" is proposed as four-story mixed-use building containing 1,200 square feet of commercial space in two tenant spaces and parking for 12 autos and 20 bikes on the first floor. Twenty-four (24) apartments are proposed on the upper three floors. Parking for 19 autos and 15 ground-mounted bike stalls are proposed below Building C, which will be accessed from a garage entrance located along the western wall.

In total, the 79 apartments will consist of 20 one-bedroom units, 52 two-bedroom units, and seven (7) three-bedroom units. In addition to the structured parking proposed, the project will include 88 surface parking stalls primarily located east of Building A and north of Building B. The plans indicate that 96 bike parking stalls are located throughout the development, with additional stalls to be required as conditions of approval. Access to the development will primarily be provided from a driveway adjacent to proposed Building A, which will wind its way into the site from the restricted median break along University to provide access to surface parking areas located east of Building A and adjacent to Buildings B and C, and to the structured parking garages. The existing gate that limits vehicular movement between 5133 and 5205 University will remain along the easterly driveway. Walkways are shown on the east sides of both driveways to provide pedestrian access into the site.

Usable open space for the 79 dwelling units will primarily be provided by balconies and patios. In addition, a shared patio and landscaped area are proposed along the rear property line, which will be located between Buildings B and C and two bioretention ponds that will be built to manage stormwater for the project. Buildings B and C will be set back a minimum of 60 feet from the southwesterly rear property line abutting the rears of single-family units on the east side of Craig Avenue in the Trillium development (83-87 Craig), with an estimated 85-90 feet between those existing and proposed buildings. Further north, Building A will be set back approximately 28 feet from the northwesterly side property line. The closest units in the Trillium development are approximately

29.5 feet from that portion of the subject site (49-53 Craig). A wooded slope along the northwesterly property line will be regraded to accommodate Building A, with new landscaping as shown on Sheets L1.0 and L1.1.

Supplemental Regulations

The following supplemental regulations apply to Live/Work units (as applicable in the SE district):

- a.) The work space component shall be located on the first floor or basement of the building, with an entrance facing the primary abutting public street.
- b.) The dwelling unit component shall be located above or behind the work space, and maintain a separate entrance located on the front or side facade and accessible from the primary abutting public street.
- c.) The office or business component of the unit shall not exceed fifty percent (50%) of the total floor area of the unit.
- d.) The business component of the building may include offices, small service establishments, homecrafts which are typically considered accessory to a dwelling unit, or limited retailing associated with fine arts, crafts, or personal services. The business component shall be limited to those uses otherwise permitted in the district which do not require a separation from residentially zoned or occupied property, or other protected use. It shall not include a wholesale business, a manufacturing business, a commercial food service requiring a license, a limousine business or auto service or repair for any vehicles other than those registered to residents of the property.

Analysis

The applicant is requesting approval of a demolition permit and conditional uses for dwelling units in mixed-use buildings and food and beverage establishments in the SE (Suburban Employment) district. The application also requests approval to include live/work units in the development, though no such units are shown on the project plans or referenced in the letter of intent. Additionally, the applicant requires approval of a conditional use to not have a designated loading zone as required by Section 28.141(13), which establishes the minimum number of loading spaces required based on the size of the development or establishment. The subject site is also located in Urban Design Dist. 6, thereby requiring approval by the Urban Design Commission.

In order for the demolition of the existing buildings to be approved, the Plan Commission is required to find that both the requested demolitions and the proposed use are compatible with the purpose of Section 28.185 of the Zoning Code and the intent and purpose for the zoning district in which the property is located. The proposed use of the property following the demolitions should also be consistent with the Comprehensive Plan and any adopted neighborhood plans. When making its decision, the Commission may consider and give decisive weight to any relevant facts including but not limited to the effects the demolition and proposed use of the subject property following demolition would have on the normal and orderly development and improvement of surrounding properties, the reasonableness of efforts to relocate the building, including the costs of relocation and the structural soundness of the building, and the limits that the location of the building would place on relocation efforts. The Plan Commission shall also consider any report submitted by the Landmarks Commission or the City's preservation planner on the proposed demolition.

Similarly, 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].”

The 2018 Comprehensive Plan identifies University Avenue generally bounded by Capital Avenue and Breese Terrace as a “regional corridor” on the Growth Priority Areas map (pages 15-16). In general, growth priority areas are prioritized for “context sensitive” mixed-use infill development and redevelopment. The corridors on the Growth Priority Areas map are planned for a mix of uses along their length, and most of the corridors, including University Avenue, are planned to transition from being historically auto-oriented to more transit-, walking-, and bike-friendly forms of development.

The 2018 Comprehensive Plan also recommends that the subject site and properties on the southwesterly side of University Avenue extending east to N Whitney Way for Community Mixed-Use (CMU). The abutting lands on the west, including Trillium Homes, are recommended for Medium Residential. In general, the CMU category includes existing and planned areas supporting an intensive mix of residential, employment, retail, civic/institutional, and service uses serving both adjacent neighborhoods and wider community markets. CMU areas are generally located at major intersections and along relatively high-capacity transit corridors, and include many of the City’s aging, auto-oriented strip commercial centers due to their accessible locations along major transportation corridors. CMU areas can generally accommodate significant development with a variety of housing options and commercial uses that attract a wide customer base. Buildings in CMU areas may range from two to six stories in height, with more residential units and commercial space compared with development in Neighborhood Mixed-Use areas. Development and design within CMU areas should create a walkable node or corridor, ideally adjacent to existing or planned transit, and CMU development should be transit-oriented. On-street parking may be provided, but intense development in CMU areas may require structured parking, with any surface parking screened from the street by buildings. CMU areas should be well connected with surrounding neighborhoods and have buildings placed close to the sidewalk. Residential uses in CMU districts may be as dense as 130 units per acre.

The designation of the site in the CMU district represents a notable change from the 2006 Comprehensive Plan, which designated most of the same area for Employment, including the entire subject site. This area formerly recommended for Employment adjoined a smaller area of Community Mixed-Use that was recommended in the 2006 plan on both sides of N Whitney Way between Old Middleton Road and University Avenue, and which was significantly expanded on the Generalized Future Land Use Maps adopted in 2018 to include the subject site. The Employment land use recommendation in the 2006 plan was the premise for zoning the subject site and adjacent properties in the 5200-block of University Avenue in the SE zoning district. Previously, the subject site and nearby parcels were zoned in the C3–Highway Commercial District prior to adoption of the 2013 Zoning Code.

Per its statement of purpose, the SE district is “established to encourage a broad range of employment activities, including limited industrial uses conducted within enclosed buildings, while also encouraging shared access, improved landscaping and site design, and bicycle and pedestrian facilities. The district is also intended to encourage the integration of complementary employment and related uses in an attractive and pedestrian-oriented environment; discourage proliferation of highway-oriented commercial uses that reduce the land area available for development or expansion of employment uses; and facilitate preservation, development or redevelopment consistent with the adopted goals, objectives, policies, and recommendations of the Comprehensive Plan and adopted neighborhood, corridor, or special area plans.”

The subject site is also located within the limits of the Spring Harbor Neighborhood Plan, which was adopted in 2006 to provide a series of land use, redevelopment, and urban design recommendations for an area of the City bounded by the Village of Shorewood Hills, Lake Mendota, the City of Middleton, and the Wisconsin & Southern Railroad, and centered on University Avenue. The land use recommendations in the neighborhood plan largely mirror the land uses shown on the 2006 Comprehensive Plan future land use maps, which recommended Employment for the subject site.

The Spring Harbor Neighborhood Plan also encourages the development of high quality, attractive buildings and site designs that build on the neighborhood's role as a gateway to the City. New buildings should incorporate details and proportions scaled to the pedestrian, with entrances at the front of the building, where people can enter from the street and sidewalk. The plan also emphasizes landscaping and buildings closer to University Avenue and N Whitney Way, with parking for new buildings to be located at the rear and on the sides of buildings. Shared parking areas are encouraged. Driveways along University Avenue should be minimized to improve traffic flow and reduce pedestrian conflicts. A landscape buffer is recommended between development sites and existing residential areas, with existing, mature, vegetation between development sites and adjacent residential to be preserved to the extent possible. Redevelopment should incorporate open spaces and green spaces in and around the sites that complement the character of the neighborhood, and sidewalks and multi-use trails should both be provided within the site and connecting to adjoining residential areas.

The Landmarks Commission informally reviewed the proposed demolition of the buildings on the subject site at its January 13, 2020 meeting, and recommended to the Plan Commission that the 5,000 square-foot former restaurant located at 5237 University Avenue has no known historic value. However, they recommended that the building at 5133 [5221] University Avenue has historic value related to the vernacular context of Madison's built environment, or as the work/product of an architect of note, but that the building itself is not historically, architecturally, or culturally significant. During the January 13 discussion, Landmarks Commission noted that the size and configuration of the Quonset hut suggested that it was likely a surplus World War II military Quonset hut, although there is no official evidence to confirm. Members of the Landmarks Commission suggested that their recommendation was based on the large size of the Quonset hut, the potential of it being World War II surplus, and "the fact that Madison has lost many Quonset huts already." During the discussion, it was encouraged that materials from the structure be repurposed as part of the recycling plan.

The Planning Division believes that the Plan Commission can find that the project meets the standards for demolition permit and conditional use approval. The photos provided by the applicant suggest that both buildings are in average or below average condition. While staff acknowledges the value that some in the community place on Quonset huts, the proposed mixed-use development staff believes that the redevelopment of the property has more potential to implement adopted plan recommendations for the property than the existing buildings, especially with regard to the scale and density of the project. However, in accordance with the Landmarks Commission discussion, staff recommends that the reuse and recycling plan for the project include a plan to salvage the Quonset hut, including making it available for repurposing off-site.

The three proposed mixed-use buildings are generally consistent with the mixed-use development recommended for the site by the Comprehensive Plan. Dwelling units in mixed-use buildings are allowed in the SE zoning of the site with conditional use approval despite not being one of the core purposes for the district.

However, the unique configuration and topography of the site, which includes limited street frontage, limited access from University Avenue, and a major public sewer corridor extending through the property, present a series of challenges for the project with regard to meeting the design recommendations for new development in both

the Comprehensive Plan and Spring Harbor Neighborhood Plan. As proposed, the most activated portions of Building A will face the parking lot to its east, with the portion of the building closest to University Avenue set back above a raised plaza along the northerly wall. While Buildings B and C are oriented towards University Avenue, the setbacks of those buildings and circuitous pedestrian connection to the public sidewalk represent a non-traditional application of the ground floor activation recommendations for mixed-use and pedestrian-oriented development. To improve the proposed development's consistency with the applicable design recommendations and improve its non-vehicular connectivity to University Avenue, staff recommends that the plans be revised to provide a more direct and accessible pedestrian connection to Building A from the public sidewalk, and for the private sidewalk network within the site to be enhanced through the use of wider walkways with landscaped buffers, pedestrian-level lighting, and wayfinding signage to help pedestrians to navigate to the various tenant spaces throughout the project.

Staff does not believe that the uses, values and enjoyment of other property in the neighborhood for purposes already established will be substantially impaired or diminished in any foreseeable manner by the establishment of the mixed-use project, nor does staff believe that construction of the development will impede the normal and orderly development or improvement of surrounding properties. While the proposed buildings represent a significantly different building form compared to what currently exists on the subject site, the proposed buildings are consistent with the development forms recommended in adopted plans, and with the development pattern that has emerged near the site in the University Crossing development just to the southeast at N Whitney Way.

However, the Plan Commission should consider the recommendation of the Traffic Engineering Division regarding access to the site. As egress from this site is restricted to right (eastbound) turns only due to the configuration of the median in University Avenue, Traffic Engineering staff is concerned that vehicles intending to travel west on University from the site will exacerbate an illegal U-turn condition at the intersection of University Avenue and Flambeau Road. This concern has also been shared by the leadership of the Madison Police Department's Midtown District. Currently, drivers make illegal U-Turns at the University-Flambeau intersection of instead of continuing 300 feet east to the designated location for such maneuvers. Traffic Engineering staff believes that the proposed development has the potential to increase the frequency of illegal U-turns at Flambeau Road, and is recommending that the applicant be required to submit a deposit of \$12,000 for intersection improvements. According to Traffic Engineering staff, while each potential remedy presents its own challenges, it is the intent of staff to monitor the activity in this location and work towards design improvements following construction and full occupancy of the proposed development. Future improvements may include increased signing and marking and installation of a rapid rectangular flashing beacon installation. All future intersection improvements, if any are determined feasible, are to be determined solely by the City Traffic Engineer.

Finally, staff does not object to the food and beverage establishment conceptually planned for then northernmost retail tenant space in Building A. While a conditional use in SE zoning, the inclusion of a restaurant or other similar use within the development is consistent with the types of uses in CMU development nodes per the Comprehensive Plan and consistent with the types of uses neighborhood stakeholders envisioned along this portion of University Avenue in the Spring Harbor Neighborhood Plan. However, the approval of the conditional use for the food and beverage establishment does not include approval of an outdoor eating area for the future restaurant use. Additional information on the future use of the elevated plaza located between Building A and University Avenue is required before an outdoor service could be established, including capacity, furnishings, and hours of operation. It is possible that other future users of the first floor commercial spaces may also require conditional use approval prior to issuance of permits or occupancy of their respective suites.

As noted previously, the subject site is located in Urban Design Dist. 6, which requires approval of the proposed development by the Urban Design Commission. The Urban Design Commission reviewed the project at its March 11, 2020 and granted **initial** approval subject to conditions related to the application of building materials and revisions to the landscaping plan. The conditions are noted in the Recommendations section of this report. Final approval of the project by UDC is required prior to issuance of permits for the redevelopment.

Conclusion

The Planning Division believes that the Plan Commission may find that the proposed mixed-use redevelopment can meet the standards for approval for demolition permits and conditional uses. The proposed development is generally consistent with the Community Mixed-Use designation recommended for the site in the Comprehensive Plan and is allowed in the existing SE zoning with conditional use approval despite not being one of the core uses intended in that district. Staff believes that the project should not have an adverse impact on the uses, values and enjoyment or normal and orderly development of surrounding properties.

However, in order to be more fully consistent with the recommended land use, as well as the design guidelines in the Spring Harbor Neighborhood Plan and Comprehensive Plan, and to ensure that conditional use standard #5 is met, the applicant shall provide a more direct and accessible pedestrian connection to Building A from the University Avenue sidewalk and enhance the private sidewalk network through the use of wider walkways with landscaped buffers, pedestrian-level lighting, and wayfinding signage to help pedestrians to navigate to the various tenant spaces throughout the project. In order for the conditional use standards to be met with the project, the applicant shall also post the deposit required by the Traffic Engineering Division to address concerns about future U-turns for automobiles leaving the development and travelling westbound on University Avenue, which was also raised by the Police Department.

Recommendation

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

If the Plan Commission can find that the standards for demolition permit and conditional use approval are met, the Planning Division recommends that its **approve** the demolition of an office building and restaurant and construction of a mixed-use development containing 11,150 square feet of commercial space and 79 apartments in three buildings at 5133-5237 University Avenue subject to the conditions recommended by the Urban Design Commission, input at the public hearing, and the following conditions from reviewing agencies:

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

Planning Division

1. The plans shall be revised to show a direct and accessible pedestrian connection from the University Avenue sidewalk to Building A for Planning Division approval prior to issuance of building permits for the project.
2. That the private sidewalk network within the site be enhanced through the use of a combination of wider walkways with landscaped buffers, pedestrian-level lighting, and wayfinding signage to help pedestrians to navigate to the various tenant spaces throughout the project.

3. That materials from the Quonset hut structure on the 5133 University Avenue parcel be salvaged for reuse off-site as part of the reuse and recycling plan.
4. Any proposed HVAC or utility penetrations on the building shall not face University Avenue or the residential properties to the northwest and southwest of the site. Any such penetrations elsewhere on the exterior of the building shall be designed to be perpendicular to the facades to limit their visibility to the greatest extent possible. No utility or HVAC pedestals or penetrations, including HVAC wall packs for units, and gas meters or electric meters for buildings/ units shall be permitted without specific approval by the Plan Commission.
5. No live/work units are shown on the proposed plans. Approval of any units as live/work units shall require approval by the Director of the Planning Division as a minor alteration to the conditional use following a recommendation by the district alder. The plans submitted for approval shall require the location and configuration of the proposed live/work units.

6. Note: Approval of the conditional use for the proposed food and beverage establishment in Building A does not include approval of an outdoor eating area for the future restaurant, etc. use. A separate conditional use application is required, and shall include information on capacity, furnishings, hours of operation, etc. Plan Commission approval of the conditional use for an outdoor eating area shall be required prior to occupancy of the outdoor area and approval of any related service licenses.
7. Note: It is possible that other future users of the first floor commercial spaces may also require conditional use approval prior to issuance of permits or occupancy of their respective suites. Also, as each commercial tenant space is leased, the entire development must reflect compliance in the required amount, type and number of auto and bicycle parking spaces, to be reviewed prior to obtaining zoning approval for each use.

Urban Design Commission (Contact Janine Glaeser, 267-8740)

The Urban Design Commission granted **initial approval** of the project on March 11, 2020 subject to the following conditions to be addressed through final UDC approval of the project prior to final sign-off and issuance of permits:

8. Simplify the number of materials, or change the plane they are in.
9. Revise the landscaping plan to change the tree species from Red Oak to White Oak or Kentucky Coffee, and Sugar Maple to a cultivar of that species.

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

10. The public sanitary sewer that runs through this site will likely need to be replaced with, or in coordination with this development to account for capacity needs of the City's sanitary sewer system. The City Engineering Division intends to televise the sewer to review the condition of the sewer main and review the operating flow levels prior to the development. The applicant shall provide projected sanitary sewer flow calculations to Mark Moder, mmoder@cityofmadison.com as a condition of approval. The Developer Agreement may require sewer replacement through the site.
11. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management

Report to City Engineering. The Storm Water Management Plan and 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.

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 half-inch of runoff over the proposed parking facility and/or drive up window.

As the site includes both new development (on existing grass) and redevelopment - there are detention and infiltration requirements. Infiltration shall meet 90% of the pre-existing infiltration and detention shall match the 1-, 2-, 5-, 10-, and 100-year events post to predevelopment rates.

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.

12. The existing storm box culvert that runs through the site was poured in place and the steel reinforcement was varied throughout the longitudinal section of the box. Where the original designers did not believe there were significant structural loads the reinforcing steel was thinned. As it exists in this area City Engineering does not recommend planning for heavy (truck) traffic over the box without review of the structural reinforcement design and a physical review of the box via confined entry. Televising the box likely will not be a viable option. It is noted that the fire lane is planned over the top of this box. Revise the fire lane access or provide a structural review, stamped by a professional engineer, regarding the integrity of the box for holding the necessary loading as proposed. Any damage to the existing box caused during the construction of this project will be at the applicant's expense to restore in-kind.
13. 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.
14. Madison Metropolitan Sewerage District (MMSD) are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
15. 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.
16. Obtain a permit to plug each existing storm sewer.
17. This project may require permanent dewatering. A permit to connect to the public stormwater system shall be required from the City Engineering Division. Additionally, a permit for non-storm discharge to the storm

sewer system from Madison-Dane County Public Health shall also be required. If contaminated soil or groundwater conditions exist on or adjacent to this project, additional Wisconsin Department of Natural Resources (WDNR), Public Health, and/or City Engineering approvals may be required prior to issuance of the connection and non-storm discharge permits.

18. An Erosion Control Permit is required for this project.
19. A Storm Water Management Report and Storm Water Management Permit is required for this project.
20. A Storm Water Maintenance Agreement (SWMA) is required for this project.
21. 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 CARPC is required for this project to proceed.
22. The site plan shall be revised 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.
23. The elevations set for the lower level entrances for Building B and C appears to be only 0.5 feet higher than the low points in the parking area. More grading details will be required. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 100-year design storm that is current in MGO Chapter 37. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin P.E. or licensed Plumber that show this requirement has been met.
24. This area is known to be flood prone. Provide storm modeling calculations that demonstrate the safe overflow from the site to the downstream properties. The applicant shall show storm water "overflow" paths that will safely route runoff during the 100-year 24-hour design storm when the storm sewer is at capacity.
25. 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.
26. This project will disturb 20,000 square feet or more of land area and requires an Erosion Control Plan. Please submit an 11 x 17-inch 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.
27. 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 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.

28. 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, Madison-Dane County Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.
29. 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 266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.
30. 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 Madison General Ordinances.
31. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the City Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
32. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the City Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

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

33. Due to the presence of City of Madison Public Sanitary Sewer through this site currently not located within a recorded easement, the owner shall grant a 15-foot wide Public Sanitary Sewer Easement on the face of the pending Certified Survey Map for the sewer running north-south and a 50 feet east to west portion along the south line of CSM 207. The terms and conditions shall be as required by the City of Madison. Contact Jeff Quamme (jrquamme@cityofmadison.com) for the easement language to be included on the pending Certified Survey Map. Only pavements for vehicular access, parking and pedestrian uses along with landscaping (excluding large over-story trees) will be permitted within the easement area.
34. Due to the true location of the City of Madison Storm Box Culvert and a 24-inch storm sewer lead to the south connecting to the box culvert through this site, the owner shall grant a Public Storm Sewer Easement of adequate size and location to the City on the face of the pending Certified Survey Map with the terms and conditions required by the City of Madison. Contact Jeff Quamme (jrquamme@cityofmadison.com) for the easement language to be included on the pending Certified Survey Map. Only pavements for vehicular access, parking and pedestrian uses along with landscaping (excluding large over-story trees) will be permitted within the easement area.
35. Due to the true location of the City of Madison Storm Box Culvert through this site, the City of Madison shall release the existing Storm Sewer Easement per Document No. 1092266 just prior to the recording of the pending CSM.
36. All rights that the City of Madison has within that portion of the public Sewer Easement per Document No. 623280 lying within the proposed Certified Survey map shall be released by the City of Madison.

37. A Public Sanitary Sewer and Storm Sewer Access Easement shall be granted by separate instrument drafted and recorded by City of Madison Real Estate staff. The applicant shall provide a map exhibit and \$500 administrative fee to Jeff Quamme (jrquamme@cityofmadison.com) designating the aisles and paved areas required to provide adequate access to the new Public Sanitary Sewer and Storm Sewer Easements for maintenance and replacement of the public facilities. Upon the receipt of the materials and fees, a Real Estate project will be set up to administer the document. The document shall be recorded immediately after the pending Certified Survey Map has been recorded.
38. There is a proposed 12-inch HDPE storm pipe on the north line of the existing Public Storm Sewer Easement in the westerly corner of the site. The pipe and access structures shall be moved to be entirely outside of the public easement area on the site plan.
39. The pending CSM for this property shall be completed and recorded with the Dane County Register of Deeds, the new parcel data created by the Assessor's Office and the parcel data available to Zoning and Building Inspection staff prior to issuance of building permits for new construction.
40. Submit a Floor Plan for each separate building in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan for each floor on a separate sheet for the development of a complete building and interior addressing plan. 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 submittal of the final Site Plan Approval application with Zoning. The approved Addressing Plan shall be included in the final application. 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. The final revised Addressing Plan shall be submitted by the applicant to Zoning to be attached to the final filed approved site plans.

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

41. As egress from this site is restricted to right turn only, Traffic Engineering staff has concerns, which have been echoed by the Madison Police Department, with vehicular traffic intending to travel westbound on University Avenue from the proposed site. Currently, drivers make illegal U-Turns at the intersection of University Avenue and Flambeau Road instead of continuing 300 feet east to the designed location for such maneuvers. This proposed development has the potential to increase the frequency of illegal U-turns at the Flambeau Road and University Avenue intersection. As such, the applicant shall submit a deposit of \$12,000 for Flambeau Road/University Avenue intersection improvements. While each potential remedy presents its own challenges, it is the intent of Traffic Engineering staff to monitor the activity in this location and work towards design improvements following construction and full occupancy of the proposed development. Some improvements may include increased signing and marking and installation of a rapid rectangular flashing beacon installation. All final design improvements, if any are determined feasible, are to be determined solely by the City Traffic Engineer.
42. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such

as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.

43. 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.
44. 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.
45. All parking facility design shall conform to the standards in MGO Section 10.08(6).
46. The applicant(s) shall maintain a five-foot wide, Americans with Disabilities Act (ADA) compliant, pedestrian walkway for the duration of the project on all street frontages classified as a collector or higher. The applicant shall also maintain a five-foot wide bicycle lane for the duration of the project on all street frontages with existing bicycle facilities. Exceptions to this requirement may be granted by Traffic Engineering on a limited term basis if and when the applicant can show a public safety concern and they also provide a clear date when the pedestrian/bicycle facilities are to be restored. All closures shall be designed by the applicant, in accordance with the Manual on Uniform Traffic Control Devices (MUTCD), to be submitted and approved by the Traffic Engineering Division.
47. All bicycle parking adjacent pedestrian walkways shall have a two-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers
48. All pedestrian walkways adjacent parking stalls shall be seven (7) feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by the Traffic Engineering Division.
49. Per MGO Section 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.
50. The applicant shall adhere to all vision triangle requirements as set in MGO Section 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO Section 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
51. The applicant shall provide a clearly defined five-foot walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.

52. "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.
53. 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.
54. 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.
55. 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 University Avenue will be granted for construction purposes. Provide a detailed construction plan to the Traffic Engineering Division for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

56. Required loading facilities shall comply with MGO Section 28.141(13). Provide **one** 10- x 50-foot loading area with 14 feet of vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space. **The required number of loading spaces may be reduced through conditional use approval.**
57. Staff anticipates that future conditional uses will be sought as tenants are identified for commercial spaces in the mixed-use buildings. These conditional uses will require additional approvals from the Plan Commission. A future outdoor eating area associated with the food and beverage establishment requires conditional use approval.
58. The project site lies within Wellhead Protection District 14. Future commercial uses will be subject to review by the Water Utility. All uses in Zones A and B of any Wellhead Protection District shall be approved by the Water Utility General Manager or his/her designee. A use may be approved with conditions. Approval by the Water Utility General Manager or his/her designee is in addition to all other approvals required for the proposed use.
59. Section 28.185(7)(a)5 requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (266-4682). Section 28.185(10) requires that every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5 shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
60. Provide a dwelling unit summary with the numbers and types of dwelling units per building and per floor.
61. Include a bicycle parking summary with numbers of surface stalls, underground stalls, ground-mounted, and structured/ wall-mounted stalls for each building.
62. Bicycle parking for the commercial tenant spaces shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11). The bicycle parking requirements for the commercial tenant spaces will be

reviewed prior to obtaining zoning approval for each use. Provide a minimum of 12 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 100 feet of a principal entrance. Short-term bicycle parking shall be provided for each building. NOTE: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Submit a detail showing the model of bike rack to be installed.

63. Bicycle parking for the multi-family dwellings shall comply with MGO Sections 28.141(4)(g) Table 28I-3 and 28.141(11) and shall be designated as short-term or long-term bicycle parking. A minimum of 82 resident bicycle parking spaces are required plus 8 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 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. Show the dimensions of the bicycle stalls and the access aisles. Provide a detail of the proposed bike racks including any structured or wall mount bike racks.
64. On the landscape plan, label and number the proposed trees and plantings with the planting code in addition to the identification symbol. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than 10,000 square feet in size must be prepared by a registered landscape architect.
65. Screening is required adjacent the zoning district boundary along the northwest and southwest property lines. Screening shall be provided along the side and rear property boundaries between commercial/mixed-use districts and residential districts. Screening shall consist of a solid wall, solid fence, or hedge with year-round foliage, between six (6) and eight (8) feet in height. Submit a detail of the screening fence or vegetation with the final plans.
66. Submit a rooftop plan showing the location of any proposed rooftop mechanical equipment and screening. 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).
67. 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.
68. 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 and Chapter 33 Urban Design Commission ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Fire Department (Contact Bill Sullivan, 261-9658)

69. Select tree species along the aerial access lanes such that the mature canopies do not impede into the aerial lanes.
70. Please consider allowing the Madison Fire Department to conduct training sequences prior to demolition. Contact Division Chief Paul Ripp of the MFD Training Division at pripp@cityofmadison.com or (608)712-6277 to discuss this possibility.

Water Utility (Contact Adam Wiederhoeft, 266-9121)

71. A private well may have served 5207 University Avenue prior to the municipal water service connection. 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 Section 13.21 prior to the demolition of the property. Please contact Water Utility staff at 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.
72. Revise utility plan to call out size and material of water service. Note that ductile iron is the only approved material in the right of way. Revise utility plan to call out type of connection to the public main in University Avenue.
73. This property is in a Wellhead Protection District–Zone (WP-14). The applicant shall provide the Madison Water Utility with confirmation that no hazardous and/or toxic materials will be stored on site, and that all proposed uses of this site comply with the City of Madison Wellhead Protection Ordinance. Any future change in use for this property will require review by the Madison Water Utility General Manager or his designated representative. Contact Adam Wiederhoeft at awiederhoeft@madisonwater.org for additional information, including a summary of the submittal requirements
74. The Madison Water Utility shall be notified to remove the water meters at least two working days prior to demolition. Contact the Water Utility Meter Department at 266-4765 to schedule the meter removal appointment.
75. A Water Meter 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 scheduled lateral connection/extension. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumberscontractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Avenue. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size and 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 266-4646.

Metro Transit (Contact Tim Sobota, 261-4289)

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

Parks Division (Contact Sarah Lerner, 261-4281)

76. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the West Park-Infrastructure Impact Fee district. Please reference ID# 20001 when contacting Parks Division staff about this project.

City Forestry Section (Brad Hofmann, 267-4908)

77. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester prior to the approval of the site plan.
78. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in Section 107.13 of *City of Madison Standard Specifications for Public Works Construction*. Any tree removals that are required for construction after the development plan is approved will require at least a 72-hour waiting period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.
79. Additional street trees are needed for this project. All street tree planting locations and tree species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. Tree planting specifications can be found in Section 209 of *City of Madison Standard Specifications for Public Works Construction*.