

# PLANNING DIVISION STAFF REPORT

August 28, 2023



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 1233 Regent Street (District 13 – Alder Evers)  
**Application Type:** Demolition Permit, Conditional Use  
**Legistar File ID #** [79016](#) & [79017](#)  
**Prepared By:** Colin Punt, Planning Division  
Report includes comments from other City agencies, as noted.  
**Reviewed By:** Kevin Firchow, AICP, Principal Planner

## Summary

**Applicant:** Mike Slavish; Wisconsin Housing Preservation Corporation; 150 E Gilman St, Ste 1500; Madison, WI 53703

**Contact:** Matt Tills; Knothe & Bruce Architects; 8401 Greenway Blvd, Ste 900; Middleton, WI 53562

**Requested Action:** The applicant is seeking approval of a demolition permit to raze an existing auto repair garage and the following conditional uses:

- 50 dwelling units in a mixed-use building in the TSS district per §28.065(2), MGO
- A 5-story building in the TSS district per §28.065(3) MGO, and
- Less than fifty percent (50%) of the ground-floor frontage facing the primary street, including all frontage at a street corner, being non-residential uses in a mixed-use building in the TSS district per §28.151 MGO.

**Proposal Summary:** The applicant is seeking approvals to demolish an auto repair garage to construct a five-story mixed use building with 50 dwelling units, 1,500 square feet of commercial space, and underground parking.

**Applicable Regulations & Standards:** Standards for conditional use approval are found in §28.183(6) MGO Standards of approval for demolition permits are found in §28.185(6) MGO

**Review Required By:** Plan Commission

**Summary Recommendations:** The Planning Division recommends the following to the Plan Commission regarding the applications for 1233 Regent Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission find that the standards for demolition permits are met to approve demolition of the building at 1233 Regent Street, subject to the conditions from reviewing agencies beginning on page 5;
- That the Plan Commission find that the standards for conditional uses are met to construct a five-story mixed-use building, subject to the conditions from reviewing agencies beginning on page 5;

## Background Information

**Parcel Location:** The subject site is 14,827 square feet and located at the southeast quadrant of the intersection of Regent Street and Orchard Street. The site is within Alder District 13 (Alder Evers) and the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The site, zoned TSS (Traditional Shopping Street), is currently occupied with a 2814-square foot auto repair garage with a small office space for the auto repair business. The building was

originally constructed in 1970. A fueling station canopy structure is located near the northeast corner of the site, but the pumps have been removed previous to 2011.

**Surrounding Land Uses and Zoning:**

North: Across Regent Street, single-story commercial buildings zoned TSS;

West: Across South Orchard Street, a single-story commercial building zoned TSS;

South: Across a public alley, one- and two-unit residences zoned TR-V1 (Traditional Residential – Varied 1 district); and

East: A two-story mixed use building with a restaurant and two apartment units zoned TSS.

**Adopted Land Use Plan:** The [Comprehensive Plan](#) (2018) recommends Neighborhood Mixed Use (NMU) for the site. The [Regent Street-South Campus Neighborhood Plan](#) (2008) also recommends NMU.

**Zoning Summary:** The subject property is zoned TSS (Traditional Shopping Street District):

Requirements	Required	Proposed
Lot Area (sq. ft.)	None	14,827
Lot Width	None	168 ft
Front Yard Setback	5 ft	5 ft
Max. Front Yard Setback	20 ft (TOD)	5 ft
Side Yard Setback	5 ft, 6 ft	5.4 ft, 8.3 ft
Rear Yard Setback	6 ft	6.1 ft
Usable Open Space	No	No
Maximum Lot Coverage	85%	63%
Maximum Building Height	None (with conditional use)	5 stories, 60 ft

Site Design	Required	Proposed
Number Parking Stalls	No minimum, 125 maximum	30
Electric Vehicle Stalls	10% (3) EV Ready 2% (1) EV Installed	3 EV Ready 1 EV Installed
Accessible Stalls	2	1 (1.)
Loading	No	No
Number Bike Parking Stalls	57	60
Landscaping and Screening	Yes	Yes (2.)
Lighting	Yes	Yes
Building Form and Design	Yes	Commercial Block

<b>Other Critical Zoning Items</b>	Utility Easements, Wellhead Protection District, TOD Overlay
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*Table Prepared by Jacob Moskowitz, Assistant Zoning Administrator*

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

**Public Utilities and Services:** The site is served by a full range of urban services.

**Project Description**

The applicant is seeking approvals to demolish an existing auto repair garage building. According to the applicant’s letter of intent, the building is outdated and in need of major repairs and updates. The [demolition photos](#)

submitted by the applicant show an auto garage building with design typical of the 1970s. There are no major structural issues known to staff, and Planning Division staff has not inspected the building.

Following demolition, the applicant intends to construct a five-story mixed use building with 50 dwelling units, 1,500 square feet of commercial space, and underground parking. The residential unit mix includes 18 efficiencies, 20 one-bedroom units, and 12 two-bedroom units. Four units on the first floor have individual walk-up entrances on Regent Street. Commercial space located at the intersection of Regent and Orchard Streets, with an entrance at the corner, which is chamfered. The building is sited with a five-foot setback along Regent Street and six-foot setback along Orchard Street. There is also an eight-foot wide terrace and five-foot wide sidewalk along Regent Street and a similar-sized terrace on Orchard Street. The top (fifth) floor is stepped back approximately 15 feet along both the Regent and Orchard Street frontages, which provides space for private roof decks, a larger roof deck for the fifth-floor common space, and a green roof.

Primary façade materials are a gray brick veneer on the first floor, red brick veneer on the second through fourth floors, and dark gray metal panel on the fifth floor and the non-street facing facades. Accent and trim materials include lap siding, cast stone sills and bases, metal railings and fascia, and concrete masonry units. Landscaping includes small raised planters along the Regent Street frontage, low ground-level plantings along the Orchard Street frontage, and small turf lawn strips along the two non-street frontages. Sections of green roof are located above the fourth and fifth floors.

The proposal includes 30 structured vehicle parking stalls and 50 indoor bicycle parking stalls and 10 outdoor parking stalls. Underground vehicle parking is accessed directly from Orchard Street. A small five-stall at-grade structured vehicle parking lot is access from the rear alley.

According to the letter of intent, the applicant intends to start demolition in spring 2024 with project completion by summer 2025.

## Analysis & Conclusion

This request is subject to the standards for demolition permits and conditional uses. This section begins with a summary of adopted plan recommendations, followed by demolition permit standards, conditional use standards, and a conclusion.

### Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends Neighborhood Mixed Use (NMU) for the site. The NMU category includes relatively small activity centers that include residential uses as well as retail, restaurant, service, institutional, and civic uses. Development in NMU areas should be compact and walkable and oriented towards streets. Buildings in NMU areas are typically expected to be two to four stories tall and have residential densities under 70 dwelling units per acre. The [Regent Street-South Campus Neighborhood Plan](#) (2008) also recommends NMU, with a height limit of four stories or 60 feet, whichever is less. The neighborhood plan also recommends a minimum height of two stories, a minimum building setback of three feet, and a building stepback of 15 feet above the 3<sup>rd</sup> floor. The neighborhood plan further recommends that building entrances should be located at corners for buildings holding a street corner and that corners should be chamfered at corners. While the neighborhood plan does not provide a setback recommendation for South Orchard Street, it does recommend 10 feet for both North Orchard Street and Bowen Court. The site is also within the boundaries of the [Brittingham-Vilas Neighborhood Plan](#) (1989), [Monroe Street Commercial District Plan](#) (2007), and [Greenbush Neighborhood Plan](#) (2008), but these plans either lack specific recommendations for the site, have similar recommendations

to the Comprehensive Plan and Regent Street-South Campus Neighborhood Plan, or provide less detailed recommendations than the two aforementioned plans.

### **Demolition Permit Standards**

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

The Planning Division believes that the standards for Demolition Permits can be met, but provides the following comments regarding standard 4, *“That the Plan Commission has received and considered the report of the City’s Historic Preservation Planner regarding the historic value of the property as well as any report that may be submitted by the Landmarks Commission.”* At its June 5, 2023 meeting, the Landmarks Commission found that the existing building at 1233 Regent Street has no known historic value. Staff believes that all other applicable demolition permit standards of approval can be found met.

### **Conditional Use Standards**

The applicant is requesting approval of a conditional use within the TSS district for a 5-story building, a 50 dwelling units in a mixed-use building, and a mixed-use building with less than fifty percent (50%) of the ground-floor frontage facing the primary street, including all frontage at a street corner, being non-residential uses. In regards to 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.

Staff’s primary question related to this application relates to approval standard 12, which states:

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

The proposed building is five stories and 60’-8” tall. Building heights of greater than three stories and 40 feet are a conditional use in the TSS district. Building height exceeding the maximum may be allowed with conditional use approval. The Comprehensive Plan recommends a maximum height of four stories in this location, with the Regent Street-South Campus Neighborhood Plan expanding on the height limit to state it as 60 feet or four stories, whichever is less. When considering this conditional use request, staff believe the location of the building on the south side of Regent Street and on the corner of Orchard Street will limit shade and shadow impacts. Further, the stepback of the smaller fifth-floor mass from both abutting streets minimize the visual impact of the additional height, and the actual height of the building is only eight inches greater than the absolute height limit stated in the neighborhood plan.

Regarding the setback, the Regent Plan recommends a 15 foot setback at the fourth floor (that is, above the third floor) and staff notes that the setback is proposed at the fifth floor (above the fourth floor). This setback is recommended to provide solar access and enhance the pedestrian scale. Utilizing the maximum floor-to-ceiling heights in the plan, this setback would be recommended to occur at 46 feet or less. As proposed, the setback occurs at just over 47 feet. From a standpoint in which only massing is considered, the proposed building results in a very similar setback condition.

Staff understands that in conversations with the District 13 alderperson, the area alder does support the additional building height. If, after considering the plan recommendations in reference to conditional use standard of approval 12, the Plan Commission can find the standard met, staff recommends that the Plan Commission find all other standards to be met or to be not applicable to this request.

### Conclusion

Staff believes that the standards of approval for demolition permits can be found to be met. While careful consideration must be given to the height recommendations in the adopted plans, when considering the whole of the land use recommendations, layout and design of the proposed redevelopment, and the recommended conditions of approval, Staff believe that the Plan Commission can find standard of approval 12 met. Staff believe the Plan Commission can find all other applicable standards of approval can also be found met.

At time of writing, Staff is unaware of written comment from the public.

## Recommendation

### Planning Division Recommendations (Contact Colin Punt 243-0455)

The Planning Division recommends the following to the Plan Commission regarding the applications for 1233 Regent Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission find that the standards for demolition permits are met to approve demolition of the building at 1233 Regent Street; subject to the conditions from reviewing agencies below;
- That the Plan Commission find that the standards for conditional uses are met to construct a five-story mixed-use building, subject to the conditions from reviewing agencies below;

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

### Planning Division (Contact Colin Punt, 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.

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

2. Parking requirements for persons with disabilities must comply with City of Madison General Ordinances Section 28.141(4)(e) which includes all applicable State accessible requirements, including a minimum of 2 accessible stalls striped per State requirements. A minimum of one of the stalls shall be a van accessible stall

8 feet wide with an 8 foot wide striped access area adjacent.

3. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
4. 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. All glass railings must be treated. Identify which glass areas are 50 sq. ft. or greater and which glass areas will be treated. Provide a detail of the specific treatment product that will be used.
5. 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.
6. As proposed, the new rooftop mechanical equipment will not be visible to view. Upon installation, if the new rooftop mechanical equipment is visible, screening will be required per Section 28.142(9)(d).
7. Section 28.185(9)(b) requires that every applicant for a demolition or removal approval that requires approval by the Plan Commission is required to get a Reuse and Recycling Plan approved by the City Recycling Coordinator, Bryan Johnson at [streets@cityofmadison.com](mailto:streets@cityofmadison.com) prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9)(b) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for two (2) years from the date of the Plan Commission approval.

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

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| <ol style="list-style-type: none"><li>8. Offsite sanitary sewer improvements may be required as condition for development by the developer. Applicant shall provide projected wastewater flow calculations to Mark Moder <a href="mailto:mmoder@cityofmadison.com">mmoder@cityofmadison.com</a>.</li><li>9. There is a large storm sewer box along the N property line of the site. This box cannot accept crane loading or use of the ROW as a throw down area. No occupancy of the ROW for these purposes will be allowed.</li></ol> |
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10. The area adjacent to this proposed development has been determined by City Engineering to have a known flooding risk. Engineering has set the minimum protective lowest entrance elevation opening at an elevation of 853.00. This standard is not intended to be protective in all cases. The Developer is strongly encouraged to complete their own engineering analysis to determine and meet a protective elevation which they are comfortable with. In no case shall the protective elevation be set below the minimum threshold determined by City Engineering.
  11. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
  12. Construct sidewalk, terrace, curb and gutter and pavement to a plan as approved by City Engineer

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. Obtain a permit to plug each existing storm sewer. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 37.05(7))
16. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
17. 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.
18. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
19. Revise the site plan to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)
20. Revise the plans to identify the location of the public storm sewer (proposed or existing) that will serve the development show the connection of the private internal drainage system to the public storm sewer. (POLICY AND MGO OVER 10,000 SF OF IMPERVIOUS AREA 10.29 and 37.05(7)(b))
21. The proposed development proposes to construct underground parking. The proposed entrance to the underground parking is adjacent to a street low point. The applicant shall provide an elevation of 853 at a minimum before breaking grade to the down ramp to the underground parking to protect the underground parking from inundation. 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.
22. 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-yr design storm that is current in Madison General Ordinance 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.
23. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at [meberhardt@cityofmadison.com](mailto:meberhardt@cityofmadison.com), or Daniel Olivares (east) at [daolivares@cityofmadison.com](mailto:daolivares@cityofmadison.com), for approval.

Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>

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

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

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

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

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

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

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

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

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

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

26. Grant a Public Sidewalk Easement to the City on the face of a forthcoming required Certified Survey Map along Regent Street to be approved by City Engineering and Traffic engineering.
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 and new Tax Parcel information available prior to issuance of a building permit.

28. Coordinate and request from the utility companies serving this area the easements required to serve this development.
29. The address of 1233 Regent St will be retired and archived with the demolition of the existing building. The address of the new apartment building is 1235 Regent St.  
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.
30. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. Also, include a unit matrix showing the number of apartments on each floor.  
The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) PRIOR to the verification submittal stage of this LNDUSE with Zoning. The final approved stamped Addressing Plan shall be included in said Site Plan Verification application materials or a revised plan shall provided for additional review and approval by Engineering.  
Per 34.505 MGO, a full copy of the approved addressing plan shall be kept at the building site at all times during construction until final inspection by the Madison Fire Department.  
For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved.

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

31. 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.
32. 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.
33. 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.
34. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
35. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly

parked bicycles and/or bicycle trailers.

36. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.
37. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
38. All parking ramps as the approach the public Right-of-Way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the Right-of-Way. If applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.
39. 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.
40. The applicant shall provide a clearly defined 5' walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
41. The driveway slope to the underground parking is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.
42. "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.
43. 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.
44. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
45. 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 Regent Street will be granted for construction purposes. Provide a detailed

construction plan to Traffic Engineering for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff.

46. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
47. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along Regent Street.
48. 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.

**Fire Department** (Contact Bill Sullivan, 886-4691)

49. Provide a fire access plan/details.
50. Verify egress on the 5th floor has access to both exit stairs from the common corridor.
51. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Jeff Larson at [jtlarson@cityofmadison.com](mailto:jtlarson@cityofmadison.com) or (608) 2665946.

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

52. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the Central Park-Infrastructure Impact Fee district. Please reference ID# 23027 when contacting Parks about this project.

**Forestry Section** (Contact Bradley Hoffman, 267-4908)

53. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction (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, 261-9835)

54. This property is in a Wellhead Protection District–Zone (WP-27). 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 Sarah Scroggins at [Sscroggins@madisonwater.org](mailto:Sscroggins@madisonwater.org) for additional information,

including a summary of the submittal requirements.

55. Update Utility Plan to indicate the type of material for proposed water service.

56. 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, 261-4289)

57. Metro Transit operates daily all-day transit service along Regent Street and Randall Avenue near this property - with trips at least every 60 minutes.

58. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 71 Weekday & 34 Weekend (average). Please contact Metro Transit if additional analysis would be of interest.

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

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