

PLANNING DIVISION STAFF REPORT

June 10, 2019

PREPARED FOR THE PLAN COMMISSION



Project Address: 3802-4002 Evan Acres Road, 6303 Millpond Road, and 3801, 3902 & 4001 Savannah Road – Ho-Chunk Nation Four Lakes District

Application Type: Zoning Map Amendment

Legistar File ID # [55573](#)

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

Reviewed By: Heather Stouder, Planning Division

Summary

Applicant: Peter Tan, Strang, Inc.; 811 E. Washington Avenue, Suite 200; Madison.

Property Owner: Ho-Chunk Nation; PO Box 667; Black River Falls; Daniel Brown, representative.

Requested Actions: [Substitute] Approval of a request to rezone nine parcels containing approximately 52.1 acres of land located at 3802-4002 Evan Acres Road, 6303 Millpond Road, and 3801, 3902 & 4001 Savannah Road from CC (Commercial Center District) to PD (Planned Development District) and approval of a General Development Plan for the Ho-Chunk Nation “Four Lakes District.” The proposed PD district includes the sovereign tribal land addressed as 4002 Evan Acres Road, on which the existing casino is located.

Proposal Summary: The initial phase of the proposed Four Lakes District calls for the construction of a 26,700 square-foot heritage center; expanded casino with 183,600 square feet of floor area, including a two-story gaming area; two parking garages with approximately 1,880 parking stalls; a 40,800 square-foot conference center; a five-story, 130,164 square-foot hotel; and 8,560 square-foot restaurant-tavern.

The proposed PD district includes two sites for unspecified future development on the 3802-3902 Evan Acres Road and 3801 Savannah Road parcels. Future development of those portions of the PD zoning district will require a major alteration to the General Development Plan prior to or concurrent with review of Specific Implementation Plans for those portions of the district.

Construction of the initial phase of the development will follow approval of a Specific Implementation Plan prior to issuance of building permits, with completion anticipated within 30 months of commencement. No timeline for the unspecified future development sites is indicated.

Applicable Regulations & Standards: Section 28.182 of the Zoning Code provides the process for zoning map amendments. The approval process and standards for the Planned Development district is outlined in Section 28.098 of the Zoning Code.

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

Summary Recommendation: If the Plan Commission can find the standards met, it should forward [Substitute] Zoning Map Amendment ID 28.022–00375, rezoning 52.1 acres of land located at 3802-4002 Evan Acres Road, 6303 Millpond Road, and 3801, 3902 & 4001 Savannah Road from CC to PD and approving the General Development Plan for the Ho-Chunk Nation “Four Lakes District” to the Common Council with a recommendation

of **approval** subject to the recommendation of the Urban Design Commission, input at the public hearing, and the conditions beginning on page 12 of this report.

Background Information

Parcel Location: Approximately 52.1 acres of land generally located in the southeastern quadrant of the Interstate 39-90 and US Highways 12 and 18 interchange, Aldermanic District 16 (Tierney); Madison Metropolitan School District.

Existing Conditions and Land Use: The lands to be rezoned to PD(GDP) are currently developed with the existing Ho-Chunk Gaming Madison casino located at 4002 Evan Acres Road, and surface parking lots to serve the casino located at 3902 Evan Acres Road and 4001 Savannah Road. The other parcels within the proposed district are undeveloped. All of the parcels are zoned CC (Commercial Center District).

Surrounding Land Uses and Zoning:

North: Magnuson Grand Hotel, Capital City Harley-Davidson, ABC Supply, and Holiday Apartments in the Town of Blooming Grove; BP gas station and Reverend Jim's Roadhouse in the City of Madison, zoned CC (Commercial Center District).

West: Interstate 39-90; west of the Interstate, wetlands and existing and future light industrial uses in the Marsh Road Industrial Subdivision and Tradesmen Commerce Park developments, zoned IL (Industrial-Limited District);

East: Yahara Hills Golf Course, zoned PR (Parks and Recreation District).

Adopted Land Use Plans: The subject parcels are recommended for Community Mixed-Use development in the 2017 [Yahara Hills Neighborhood Development Plan](#), with General Commercial uses recommended for the commercial properties located to the north between Millpond Road and US Highway 12 and 18, and Park and Open Space recommended for the adjacent Yahara Hills Golf Course and open space. The street plan adopted as part of the neighborhood development plan includes a grade-separated crossing of US Highways 12 and 18, which would connect Savannah Road to a southern extension of Meier Road and Femrite Drive. The plan also includes a public road loop through the Yahara Hills parkland and a long-term connection to Siggelkow Road via a crossing of Interstate 39-90 near Storck Road, both of which are intended to improve circulation for the parkland and create better overall access into this area of the City.

The land uses recommended in the 2018 [Comprehensive Plan](#) follow the land uses recommended in the neighborhood development plan for these properties.

Zoning Summary: The property will be zoned PD(GDP).

Other Critical Zoning Items	
Yes:	Urban Design (PD zoning), Utility Easements, Barrier Free, Adjacent to Park
No:	Floodplain, Wellhead Protection, Waterfront Development, Landmark
Prepared by: Jacob Moskowitz, Asst. Zoning Administrator	

Environmental Corridor Status: Portions of the 3901, 3922, 3938 and 4002 Evan Acres Road, 3801 Savannah Road, and 6303 Millpond Road parcels have wetlands indicated according to public records. A pond is located on the western half of the 3901 Evan Acres parcel. The three Evan Acres Road parcels are also located within a mapped environmental corridor, as is the City-owned Yahara Hills parkland to the east of the subject parcels.

Public Utilities and Services: The property is served by a full range of urban services with the exception of Metro Transit, which does not provide service east of the Dutch Mill Park and Ride facility located at the interchange of US Highways 51 and 12/18. Metro offered the following detailed comments on transit service to the site:

“The proposed development is outside Metro Transit’s service area. The closest bus stop with scheduled bus service is no less than 2.5 miles walking distance, and the parcels would be greater than the three-quarters mile regulatory distance from all day scheduled bus service, which disqualifies any trips in this area for passengers who might otherwise be eligible for door-to-door paratransit service.

The most direct pedestrian (and bicycle) access between this site and the scheduled bus service, located at E. Broadway and Dutch Mill Road, would include travel along the shoulder of US Highway 12 (posted 55 miles per hour). Existing Wisconsin Department of Transportation signage prohibits pedestrians and bicycles from using this portion of US Highway 12, between the S. Stoughton Road at Broadway area and Millpond Road (through the interchange with Interstate 39-90).

The legal pedestrian (and bicycle) access between this site and the scheduled bus service would encompass a travel distance of almost five miles. This would include using the unimproved shoulders of Femrite Drive (posted 40 mph) and CTH AB (45 mph), and US Highway 12 (55 mph), for the three-mile segment between the Femrite Drive underpass of Interstate 39-90 and the Millpond Road intersection at US Highways 12 and 18.”

The transportation infrastructure serving the subject site will be discussed in detail later in this report.

Project Description

The Ho-Chunk Nation is requesting approval of a Planned Development zoning district and General Development Plan to guide the future development of approximately 52 acres of land it owns in fee simple or as tribal land, which it is branding as “The Four Lakes District.” The initial phase of the proposed Four Lakes District calls for the construction of a heritage center, expanded casino, conference center, hotel, structured parking, and associated dining, entertainment, and service uses to serve the complex. Future phases of the development may include an 111,000 square-foot indoor sports complex and additional commercial development to complement the project and existing surrounding uses, although no details of those future phases are included in the current General Development Plan.

Existing Conditions

The Ho-Chunk lands are located in the southeastern corner of the Interstate 39-90 and US Highways 12 and 18 interchange as part of a larger area of mostly commercially developed land bounded by those highways and the City’s Yahara Hill Golf Course and undeveloped open space. Access into the area, which includes a motorcycle dealership, hotel, building supply business and apartment building on parcels located in the Town of Blooming Grove as well as a restaurant-tavern and gas station located in the City, is provided by the at-grade intersection of Millpond Road and US Highways 12 and 18. Millpond continues west to form the northern leg of a series of three local streets that provide access to the parcels in the area before turning south as Evan Acres Road, which

parallels the Interstate; Evan Acres then turns sharply to become Savannah Road, which parallels the westerly edge of the City golf course and open space. All three local streets serving the area are public currently.

The proposed PD district is comprised of the following parcels and uses (beginning at the Millpond Road-Savannah Road intersection counterclockwise around the area):

- 3801 Savannah Road (also 6401 Millpond): An undeveloped 4.17-acre parcel, which surrounds a 0.22-acre surplus Water Utility parcel addressed as 3821 Savannah Road;
- 6303 Millpond Road: An undeveloped 8.1-acre parcel that extends the length of the block between Evan Acres and Savannah;
- 3802 Evan Acres Road: An undeveloped 2.0-acre parcel located on the outside of the curve adjacent to the hotel in the Town;
- 3902 Evan Acres Road: The 470-stall "North" surface parking lot for Ho-Chunk Nation Madison gaming facility, which occupies a 7.0-acre parcel adjacent to the Interstate;
- 3922 Evan Acres Road: An undeveloped 2.63-acre parcel south of the parking lot;
- 3938 Evan Acres Road: An undeveloped 4.39-acre parcel located adjacent to the gaming facility;
- 4002 Evan Acres Road: A landlocked, 4.9-acre parcel owned by the United States government in trust for the Ho-Chunk Nation, which is developed with the approximately 70,000 square-foot Ho-Chunk Nation Madison casino. The site is accessed via a driveway at the intersection of Evan Acres and Savannah Roads across the parcel adjacent to the northeast. The "trust" property is included in the legal description for the proposed PD zoning district and is included in the plan materials for reference and consistency purposes, although the City's zoning powers over this sovereign parcel are generally limited to those provided by the 1998 Ho-Chunk Nation and City of Madison intergovernmental service and development agreement and federal code;
- 4001 Savannah Road, which is primarily developed with the approximately 600-stall "East" surface parking lot for the casino. The parking lot and an accessory maintenance building occupy 5.7 acres, which are surrounded on the north and east by the City-owned golf course and open space; and
- 3902 Savannah Road: An undeveloped 8.85-acre parcel with frontage on both Savannah and Evan Acres and located opposite the driveway serving the casino.

All of the parcels are currently zoned CC and will be rezoned to PD with the current request.

Most of the lands to be rezoned are characterized by little or no grade. Natural features present include a pond located near the center of the approximately 14-acre block of land formed by the three local streets, which is surrounded by wetland, and woodlands and a smaller area of wetlands on the 3922 and 3938 Evan Acres Road parcels. Additionally, the northerly and easterly edges of the "East" parking lot on 4001 Savannah Road are formed by a manmade six- to eight-foot high berm located on the adjacent City-owned land, which screens the surface lot from view from the golf course and open space. The site is also characterized by a gas pipeline and easement that extends north-south through the subject lands, entering from across US Highways 12 and 18 adjacent to the Dane County Rodefild Landfill from the north before crossing Interstate 39-90 at a right angle just north of the gaming facility.

Summary of Proposed General Development Plan

[Note: The floorplans in the General Development Plan inadvertently omit the second floor/level and suggest the proposed building(s) may reach up to six stories/levels in height. However, the architect clarified that Sheet 5.4.2 is for the second floor/level, that Sheet 5.4.3 is for floors/levels 3-5, and that the maximum proposed height is five stories/levels. Staff and the applicant agreed that clarifying this in the staff report would be appropriate in lieu of reprinting and repackaging the affected pages. The floorplans will be relabeled prior to recording.]

The proposed Ho-Chunk development calls for a significant addition to the existing gaming facility located on the tribal trust land. The size of the existing casino varies in the application materials, with reference to a 60,000 square-foot facility in the letter of intent, and a 70,000 square-foot building footprint indicated on the ALTA survey submitted with the plan sets. The current building is a tall one-story structure with a partial mezzanine level, which houses offices and support functions for the facility.

The proposed General Development Plan calls for the casino to be expanded to a two-story, 183,600 square-foot facility, with horizontal additions to northwest and northeast. The expanded casino will include additional gaming space, as well as additional space for food and beverage services and casino support and a new front entrance. With the exception of a loading dock for the expanded building, the casino will be expanded entirely on the federally owned tribal trust land.

Moving northwest from the expanded casino, the General Development Plan calls for a five-story structure to extend along the Interstate 39-90 frontage of the subject site. The northerly wing will include a 970-stall parking garage, five-story hotel with an unspecified number of rooms (approximately 160 are counted on the conceptual floorplans), restaurant-tavern, and spa/pool/lounge, and a 16,500 square-foot central plant with loading and utilities. The northerly wing will be connected to the casino by an enclosed walkway at the second floor in accordance with an agreement between the applicant and operator of the gas pipeline that extends through the planning area, which requires that the pipeline be exposed at grade and limits the size and clearance of the connection across the pipeline easement. The proposed hotel will have approximately 130,164 square feet of floor area, although a more detailed accounting of the size of the hotel, including the number of guest rooms, will be submitted as part of a subsequent Specific Implementation Plan for the project.

Moving to the northeast of the casino, the applicant is proposing an easterly wing that will include an additional restaurant-tavern space and a 40,800 square-foot conference center on the ground floor, and a five-level, 910-stall parking garage, which will be connected to the casino at the second floor. The applicant indicates that the rooms on the northwestern side of the conference center are designed to open onto a landscaped plaza called "The Great Circle" that will be created at the center of the larger L-shaped development.

The final component of the first phase of the proposed development will be a 26,700 square-foot heritage center to be located in the center of the roughly 14-acre triangle formed by the three public streets serving the area. The two level building is designed to open onto the existing pond, an outdoor amphitheater, restored wetlands and walking trails planned for that portion of the site. Parking for the heritage center will be provided by a surface lot proposed northeast of the building.

The developer has included preliminary elevations to depict how the proposed development may be massed, which suggest a modern architectural approach for both the L-shaped building and casino, and the heritage center. Final details of the proposed buildings will be submitted with the subsequent Specific Implementation Plan for the initial phase. However, the preliminary drawings suggest that the northerly 970-stall garage will be mostly or fully

enclosed from view from Interstate 39-90, and that the vertical expansion of the casino will feature prominent windows facing to the southwest. The elevations also suggest that the easterly 910-stall garage will more exposed on its long sides, including the side facing the Yahara Hills golf course and open space.

As part of the proposed General Development Plan, the Ho-Chunk Nation is requesting to discontinue most of Evan Acres Road and Savannah Road as public streets and reconfigure those roadways as private roads to provide access to the proposed development. As part of the access plan, current Savannah Road would be reconstructed to include a median with an overhead gateway feature, which would end at a curved drop-off loop at the new entrance to the casino. A walkway is proposed to parallel the new entry drive, which would link the casino and heritage center with a grade-separated pedestrian crossing. Most of existing Evan Acres Road would remain mostly as it currently exists, except where it will intersect the [Savannah] main entry drive near the hotel. In addition, a service drive and fire lane are proposed to encircle the L-shaped building/casino, which will provide access to the parking garages, three loading docks, and central plant.

Two sites are shown within the proposed PD zoning district and outlined in the General Development Plan, which are not part of the initial first phase of development and are labeled as "Future Development Site" in the plans. The first is a large rectangular area with surface parking located along the west side of the subject site on the site of the current North parking lot adjacent to Interstate 39-90. The second is an L-shaped mass located at the Millpond Road entrance to the site. The second site abuts the City-owned golf course and open space and includes the land currently owned by the Madison Water Utility, although that land has been identified as surplus. Future development of those portions of the PD zoning district will require a major alteration to the General Development Plan prior to or concurrent with review of Specific Implementation Plans for those portions of the district. Until the surplus Water Utility land has been acquired by the Ho-Chunk Nation, staff requests that it not be included in the General Development Plan graphics.

Analysis

The proposed Ho-Chunk Nation "Four Lakes District" Planned Development District and General Development Plan are subject to standards and process for Planned Development Districts in Section 28.098 of the Zoning Code, as well as the process for zoning map amendments in Section 28.182. In order to approve the zoning map amendment, the Common Council shall find that the zoning map amendment is *consistent with* the City's Comprehensive Plan as required by Chapter 66.1001(3) of Wisconsin Statutes. "Consistent with" is defined as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan."

Consistency with the Standards and Process for the Planned Development District (MGO Section 28.098)

Per its statement of purpose, the Planned Development (PD) district is established to provide a voluntary regulatory framework as a means to facilitate the unique development of land in an integrated and innovative fashion, to allow for flexibility in site design, and to encourage development that is sensitive to environmental, cultural, and economic considerations, and that features high-quality architecture and building materials. In addition, the Planned Development zoning district is intended to encourage sustainable development; promote integrated land uses allowing for a mixture of residential, commercial, and public facilities along corridors and in transitional areas, with enhanced pedestrian, bicycle and transit connections and amenities; preserve and enhance environmental features through careful and sensitive placement of buildings and facilities; provide more adequate, usable, and suitably located open space, recreational amenities, and other public facilities than would otherwise be provided under conventional land development techniques; and facilitate high-quality development

consistent with the goals, objectives, policies, and recommendations of the Comprehensive Plan and adopted neighborhood, corridor or special area plans.

The PD district is intended only for use in situations where none of the base zoning districts address the type of development or site planning proposed. Examples include redevelopment, large-scale master planned developments, projects that create exceptional employment or economic development opportunities, or developments that include a variety of residential, commercial, and employment uses in a functionally integrated mixed-use setting. Each PD district is a site-specific zoning district, with specific requirements that are unique to that Planned Development. In the Planned Development District, there shall be no predetermined requirements for lot area, lot width, height, floor area ratio, yards, usable open space, signage, or off-street parking and loading, but such requirements may be made a part of a planned development during its approval and recorded against the PD-zoned property as regulations to be enforced as a part of this ordinance.

The applicable standards for approval of a zoning map amendment to the PD district and staff analysis for this project follow.

(a) The applicant shall demonstrate that no other base zoning district can be used to achieve a substantially similar pattern of development. Planned developments shall not be allowed simply for the purpose of increasing overall density or allowing development that otherwise could not be approved unless the development also meets one or more of the objectives of [the PD statement of purpose]. Conditions under which planned development may be appropriate include:

- 1. Site conditions such as steep topography or other unusual physical features; or*
- 2. Redevelopment of an existing area or use of an infill site that could not be reasonably developed under base zoning district requirements.*

Analysis: Staff believes that this standard can be met. The 1998 Ho-Chunk Nation and City of Madison intergovernmental service and development agreement established parameters for the annexation of certain Nation-owned properties into the City, the provision of City services to the Nation lands, and cooperative planning for the City- and Nation-owned lands in the southeastern quadrant of the Interstate 39-90 and US Highway 12-18 interchange. The agreement includes the establishment of the Ho-Chunk Nation/City of Madison Joint Planning Committee and a provision that lands subject to the agreement be zoned to the PUD (Planned Unit Development) zoning district [1966 Code] to “establish a comprehensive and consistent plan” for the area subject to the agreement. While the existing CC zoning of the proposed 52-acre PD district could likely support most or all of the components of the Four Lakes District development, the rezoning to PD is consistent with the 1998 intergovernmental agreement.

(b) The PD District plan shall facilitate the development or redevelopment goals of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans.

Analysis: The Ho-Chunk Nation properties are located within the boundaries of the 2017 Yahara Hills Neighborhood Development Plan, which was adopted to provide land use, design, utility, and transportation recommendations for existing and future City of Madison properties located in the southeastern portion of the Town of Blooming Grove and the western edge of the Town of Cottage Grove and approximately centered on the Yahara Hills Golf Course and open space.

The neighborhood development plan recommends the subject parcels for Community Mixed-Use development, and includes a number of specific recommendations for the sites, recognizing their location

adjacent to Interstate 39-90 and US Highways 12 and 18, which are acknowledged as gateways to Madison. Developments visible from these highways should have high quality site and building design that creates an attractive appearance on all sides of the development. The Community Mixed-Use district recommended in the Savannah Road/Millpond Road/Evan Acres Road area is recommended to include sports, entertainment, culture, recreation, lodging, limited retail and service uses. However, residential uses are not recommended due to the “isolated nature of the area,” and the plan recommends that large format retail and “strip commercial” building formats are not appropriate.

The neighborhood development plan recommends that a pedestrian scale “Main Street” development concept for the area to create an engaging, urban destination that meets the needs of the surrounding neighborhood and the larger region. High quality building design, pedestrian and bicycle-oriented streetscapes are recommended. Structured parking with liner buildings will allow strong, attractive block faces that engage the pedestrian and bicyclist. Large surface parking lots should be avoided whenever possible.

The district should generally include multi-story buildings (single-story buildings may be appropriate in limited locations) that front on streets in order to create a compact urban form and create a sense of place. High quality architectural design, building materials, landscaping and other urban amenities such as plazas and squares, decorative furniture, fountains and lighting recommended. A summary of the design elements recommended for the Savannah Road/Millpond Road/Evan Acres Road area include encouraging integrated uses; a design emphasis on place-making and creating an identity and focal point for the area; design around a “center of gravity” such as a main street, fountain, plaza, clock tower, etc. where people are drawn; creation of generous pedestrian spaces and amenities; and incorporation of high levels of bicycle amenity in public and private areas.

The Yahara Hills NDP also recommends that a detailed master plan guide the development of the recommended community mixed-use district to address land use, design, transportation, parks and open space and utilities, and acknowledges the Ho-Chunk Nation’s efforts to plan for its properties in recent years.

Adjacent to the community mixed-use district, the Yahara Hills Neighborhood Development Plan notes that a multi-field sports complex is being considered between the Ho-Chunk lands and open space land owned by the City. This complex would be focused on tournaments and league users, which may include a lighted soccer and tennis complex. This use is designated Parks and Open Space in the neighborhood development plan, which notes that additional study will be necessary prior to the construction of this potential facility.

The land use recommendations in the neighborhood development plan are carried forward in the land use recommendations for the site in the 2018 Comprehensive Plan, which recommends the 52 acres of Ho-Chunk Nation property for Community Mixed-Use development.

The Planning Division believes the Plan Commission may find that the uses, plan for building placement, and general massing and design in the proposed Planned Development–General Development Plan for the 52-acre property are generally consistent with the Community Mixed-Use recommendations for the site in the Comprehensive Plan and Yahara Hills Neighborhood Development Plan. The initial phase of development included in the General Development Plan is consistent with many of the specific recommendations in the neighborhood development plan, including the mix of uses proposed, the efforts at creating a sense of place, the emphasis on structured parking to serve most of the project, and the high quality architectural design proposed in the preliminary drawings for the heritage center and casino/ hotel/ conference center complex. Further, it is expected that the two future development sites will be consistent with the above plan

recommendations at the time that the General Development Plan is amended to include more information on the future use(s), bulk/ massing, and design of those sites.

- (c) *The PD District plan shall not adversely affect the economic health of the City or the area of the City where the development is proposed. The City shall be able to provide municipal services to the property where the planned development is proposed without a significant increase of the cost of providing those services or economic impact on municipal utilities serving that area.*

Analysis: Notwithstanding the transportation-related concerns to be addressed in subsection d) below, staff believes that this condition may be met. However, construction of the new multi-story L-shaped building will require existing City of Madison water, sanitary sewer, and storm sewer mains and easements to be relocated, for which the developer will be responsible. The Water Utility also noted that a redundant water supply cannot be established for the public water system to serve this area unless a water main is extended across the interstate to connect with existing Zone 4 water mains to the west.

- (d) *The PD District plan shall not create traffic or parking demands disproportionate to the facilities and improvements designed to meet those demands. A traffic demand management plan may be required as a way to resolve traffic and parking concerns. The Plan shall include measurable goals, strategies, and actions to encourage travelers to use alternatives to driving alone, especially at congested times of day. Strategies and actions may include, but are not limited to, carpools and vanpools; public and private transit; promotion of bicycling, walking and other non-motorized travel; flexible work schedules and parking management programs to substantially reduce automobile trips.*

Analysis: As noted earlier in this report, the subject parcels and surrounding area are solely accessible by the at-grade intersection of Millpond Road and US Highways 12 and 18. In conjunction with the significant public open space that borders the area on the east, which extends a mile east to CTH AB on the east side of the Yahara Hill Golf Course, the single point of automobile access from the limited access expressway results in an area that is isolated for persons traveling by automobile. Additionally, the subject properties and surrounding area in the southeastern quadrant of Interstate 39-90 and US Highways 12 and 18 are effectively inaccessible by pedestrians and bicyclists, and there is no Metro Transit service east of the interstate to serve this area.

City of Madison Department of Transportation Director Tom Lynch and City Traffic Engineer Yang Tao have submitted a memo to the Plan Commission outlining their concerns over approval of the proposed Ho-Chunk Nation Four Lakes District General Development. The memo notes that the Millpond/US Highways 12 and 18 intersection is the second most dangerous intersection in the City of Madison due to a high volume of injury accidents, including one fatality. **The Plan Commission is asked to carefully consider the data and recommendations in the memo as it considers whether this standard is met.**

According to data provided by the applicant, the proposed development is projected to more than double the number of vehicle trips per day (VPD) using the Millpond /US Highways 12 and 18 intersection, which is under the control of the Wisconsin Department of Transportation (WisDOT). While WisDOT is obligated to make safety improvements to unsafe intersections on its system, it is not necessarily obligated to mitigate concerns created by new development that feeds into its system. Therefore, a local solution to access into this area may be needed before a development of the size and intensity proposed by the Ho-Chunk Nation may be approved.

Further exacerbating staff concerns about increasing VPD through the lone intersection accessing the site is that the existing road infrastructure severely limits the use of transportation demand management (TDM) strategies to reduce the number of automobile trips to the proposed development. While some visitors to the Ho-Chunk development may arrive by motor coach and some employee trips could be accomplished via carpool, the isolated nature of the site and surrounding area for pedestrians, bicyclists, and transit users means that many other more common TDM strategies to reduce single-occupant vehicle trips related to the proposed development, such as incentivizing the use of transit and providing bike amenities for employees and guests, are unavailable.

Finally, staff from across City agencies have not reached a consensus on whether some or all of the public streets in the area should be discontinued as public rights of way. While staff acknowledges that the Ho-Chunk desire to reconstruct and maintain Evan Acres Road and Savannah Road as private roads to serve the needs of their specific development, the impact that the privatization on those roads on the ability for other properties in the area to develop or redevelop in accordance with the recommendations in the Yahara Hills Neighborhood Development Plan has not been fully analyzed. In particular, the neighborhood development plan includes two specific recommendations for the subject sites and surrounding areas, which discontinuance of the existing public roads could impact. Those recommendations include a proposed grade-separated crossing of US Highways 12 and 18 to improve access to the area from the north and Femrite Drive, and a public street that is planned to cross the City-owned land to the east to provide additional access into the area from CTH AB to the east and Siggelkow Road to the south. While the proposed development does not preclude the former, discontinuance of Savannah Road could impact the implementation of the southeasterly access route. Staff recommends that a decision on the future road network to serve this area and the adjacent City property be made prior to final approval and recording of the proposed General Development Plan.

In order for the Plan Commission and Common Council to find that this standard is met, staff from the Planning Division, Department of Transportation and Traffic Engineering Division, and City Engineering Division believe that an access solution for the intersection of US Highways 12 and 18 and Millpond Road acceptable to the City and Ho-Chunk Nation must be agreed upon prior to the approval of any Specific Implementation Plan associated with this Planned Development to safely accommodate the projected traffic volumes. While additional discussions are needed, City staff believe that the best long-term solution to resolve the current access condition and accommodate the additional trips that will be generated by development in this quadrant would include the construction of a grade-separated intersection of Meier Road and US Highways 12 and 18. The construction of such a facility would eliminate the unsafe turn movements currently required to access the site and surrounding properties, and provide a local road connection to the rest of the City, which could improve access for pedestrians, bicycles and transit. The grade-separated facility would also be consistent with the circulation recommendations for this area in the Yahara Hills Neighborhood Development Plan.

- (e) *The PD District plan shall coordinate architectural styles and building forms to achieve greater compatibility with surrounding land uses and create an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose of the PD District.*

Analysis: The Planning Division believes the Plan Commission may find that the plan for building placement and general bulk, mass, and orientation, as well as the preliminary architectural direction for the initial phase of development meet this standard for approval. Staff feels that the concepts contained in the General Development Plan can achieve the goal in the Yahara Hills Neighborhood Development Plan to create a “gateway development” befitting its location at the Interstate 39-90/ US Highways 12 and 18 interchange.

However, careful review of the final plans for the proposed hotel/casino/conference center complex will be required at the Specific Implementation Plan stage to ensure that the building presents itself well to the adjacent interstate and City parkland. In both cases, staff recommends that the sides of the building facing those perimeter elements be designed so as not to present its “back” to them, with engaging architectural features, a high degree of openings, and well-integrated loading and service functions.

The Urban Design Commission reviewed the General Development Plan for the initial phase of development and recommended final approval to the Plan Commission at its May 8, 2019 meeting. The report of the UDC is attached.

- (f) *The PD District plan shall include open space suitable to the type and character of development proposed, including for projects with residential components, a mix of structured and natural spaces for use by residents and visitors. Areas for stormwater management, parking, or in the public right of way shall not be used to satisfy this requirement.*

Analysis: The Planning Division believes that this standard is met with for the initial phase of the Planned Development district. The General Development Plan features a substantial open space component tied to the proposed heritage center, which will include an existing pond, outdoor amphitheater, restored wetlands and walking trails. The Great Circle landscaped area adjacent to the conference center has also been designed to provide a significant open space feature for that portion of the planned development. No residential uses are included within the proposed Four Lakes District.

In this vein, staff believes that the proposed hotel/casino/conference center complex can relate well to the adjacent Yahara Hills Golf Course and open space located to the east. However, like in the preceding standard, staff believes that careful review of the final plans for the complex will be required during review of the Specific Implementation Plan to ensure that the transition from the development to the adjacent open space is well landscaped, and that any service or loading functions for the complex are adequately screened.

- (g) *The PD district shall include suitable assurances that each phase could be completed in a manner that would not result in an adverse effect upon the community as a result of termination at that point.*

Analysis: Staff has no information to suggest at the General Development Plan stage that the project cannot be implemented as proposed. However, the Plan Commission may request that proof of financing capability be provided in a form acceptable to the Planning Division as a condition of each Specific Implementation Plan.

Conclusion

The Ho-Chunk Nation is proposing the creation a large and dynamic hospitality and entertainment facility for their lands that will be centered around a significant expansion of their existing gaming facility and which will include a unique and exciting heritage center to preserve and celebrate their history. Staff believes that the proposed initial phase of development is consistent with the Community Mixed-Use recommendations in the adopted 2017 Yahara Hills Neighborhood Development Plan and 2018 Comprehensive Plan.

However, while City staff is generally supportive of the development plans proposed for the subject site, the Plan Commission and Common Council shall carefully consider the limited access to the site and surrounding properties and the traffic impacts that the proposed Ho-Chunk development is anticipated to generate. As noted in the

preceding section and in the attached June 5, 2019 memo from Tom Lynch, Director of the Madison Department of Transportation, and Yang Tao, City Traffic Engineer, the proposed Four Lakes District development will create a traffic demand disproportionate to the facilities and improvements designed to meet those demands due to the amount of vehicles trips that will be added the Millpond Road intersection with US Highways 12 and 18, which is the sole access serving the site and surrounding area. The intersection is already unsafe and over capacity, ranking as the second most dangerous intersections in the City. Staff cannot support the intensity of development proposed unless alternatives to the existing Millpond Road/US Highways 12-18 intersection are provided to safely accommodate access for up to 10,000 additional daily vehicle trips.

In order for the Plan Commission and Common Council to find that Planned Development standard (2)(d) is met, staff from the Planning Division, Department of Transportation and Traffic Engineering Division, and City Engineering Division believe that an access solution for the intersection of US Highways 12 and 18 and Millpond Road acceptable to the City and Ho-Chunk Nation must be agreed upon prior to the approval of any Specific Implementation Plan associated with this Planned Development to safely accommodate the projected traffic volumes. City staff believe that the best long-term solution to resolve the current access condition and accommodate the additional trips that will be generated by development in this quadrant would include the construction of a grade-separated intersection of Meier Road and US Highways 12 and 18. The construction of such a facility would eliminate the unsafe turn movements currently required to access the site and surrounding properties, and provide a local road connection to the rest of the City, which could improve access for pedestrians, bicycles and transit. The grade-separated facility would also be consistent with the circulation recommendations for this area in the Yahara Hills Neighborhood Development Plan.

Recommendation

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

If the Plan Commission can find the standards met, it should forward [Substitute] Zoning Map Amendment ID 28.022-00375, rezoning 52.1 acres of land located at 3802-4002 Evan Acres Road, 6303 Millpond Road, and 3801, 3902 & 4001 Savannah Road from CC to PD and approving the General Development Plan for the Ho-Chunk Nation "Four Lakes District" to the Common Council with a recommendation of **approval** subject to the recommendation of 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

1. That the applicant work with Planning and Zoning staff prior to final approval and recording of the General Development Plan to revise the zoning text to better reflect the uses reflected in the attached plans, including refining the list of permitted uses.
2. The final General Development Plan shall include a detailed record of existing building gross floor area and surface parking, a data table for the proposed development that includes proposed gross floor area for the project and its primary components, including the number of hotel rooms proposed, and the amount of surface and structured parking spaces proposed.
3. The General Development Plan shall not preclude the streets serving the development area remaining as public rights of way. A final decision on the vacation/discontinuance of those public streets shall be made

prior to final approval of the Specific Implementation Plan for the initial phase of development. If the streets are to become private, the streets shall be constructed to public standards and include public access easements as required by the City prior to final approval and issuance of permits. Final construction details of those streets, including cross sections, shall be included with the Specific Implementation Plan for review and approval.

4. The final General Development plan shall not include lands not owned by the applicant. Prior to final approval and recording, the applicant shall acquire from the City of Madison Water Utility parcel located at 3821 Savannah Road. Please contact the City's Office of Real Estate Services for more information regarding this parcel. The future development site identified for at 3801 Savannah Road shall be reconfigured in the event that 3821 is not acquired.

Urban Design Commission

The Urban Design Commission recommended **final approval** of the project on May 8, 2019 with no conditions.

The following conditions have been submitted by reviewing agencies on the General Development Plan:

Traffic Engineering Division (Contact Yang Tao, 266-4815, and Sean Malloy, 266-5987)

5. As noted in the memo from the Director of the City of Madison Department of Transportation and City Traffic Engineer dated June 5, 2019, the existing access to the subject site at the intersection of US Highways 12 and 18 and Millpond Road is insufficient to safely accommodate the traffic volumes projected for this development. Additional traffic access solutions acceptable to the City of Madison and Ho-Chunk Nation shall be agreed upon prior to the approval of any Specific Implementation Plan associated with this Planned Development.
6. The applicant shall work with Traffic Engineering, City Engineering, Parks, and Planning Divisions to accommodate a future southern loop road as depicted in Yahara Hills Neighborhood Development Plan. Currently, it appears Building 5 will be in conflict from the proposed alignment shown in the neighborhood development plan.
7. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings 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.
8. 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.
9. 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.

10. All parking facility design shall conform to the standards in MGO Section 10.08(6).
11. 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 four stories prior to sign-off to be reviewed and approved by Austin Scheib, (266-4766) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
12. The applicant shall note on the face of the GDP that no improvements shown in the public right of way are approved with this plan.
13. The developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

City Engineering Division (Contact Brenda Stanley, 261-9127)

14. The proposed building improvements will have impacts on the City's sanitary sewer. The building improvements (conference center) appear to be built directly on top of the City sewer. The developer shall relocate the sewer so that it is not in conflict with the building improvements.
 15. The proposed building improvements will have impacts on the City's storm sewer. The building improvements appear to be built directly on top of the City storm sewer. The developer shall relocate the storm sewer so that it is not in conflict with the building improvements.
 16. The developer shall provide design plans and calculations stamped by Professional Engineer for the pedestrian underpass to show structure passes both 250 psf and H20 AASHTO bridge loading.
 17. The developer shall provide City Engineering a Wisconsin Department of Transportation (WisDOT) structural survey inspection report once every two (2) years for the pedestrian underpass.
18. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
 19. 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.
 20. The construction of this project will require that the applicant shall enter into a City/ Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. Note: Obtaining a developers agreement generally takes approximately 4-6 weeks, minimum.

21. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR in order to comply with TMDL limits.
22. A portion of this project comes under the jurisdiction of the US Army Corp of Engineers and Wisconsin Department of Natural Resources (WDNR) for wetland or floodplain issues. A permit for those matters shall be required prior to construction on any of the lots currently within the jurisdictional floodplain.
23. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number. The digital copies shall be drawn to scale and represent final construction including: building footprints; internal walkway areas; internal site parking areas; other miscellaneous impervious areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.); right-of-way lines (public and private); plat name and lot lines (metes & bounds parcel lines if unplatted); platted lot numbers (noted "unplatted lands" if not platted); lot/plat property dimensions; street names; private on-site sanitary sewer utilities (including all connections to public sanitary); private on-site storm sewer utilities (including all connections to public storm). All other levels (contours, elevations, etc.) are not to be included with this file submittal. E-mail CAD file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.
24. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)) PDF submittals shall contain the following information: a) Building Footprints; b) Internal Walkway Areas; c) Internal Site Parking Areas; d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.); e) Right-of-Way lines (public and private); f) Lot lines or parcel lines if unplatted; g) Lot numbers or the words unplatted; h) Lot/Plat dimensions; i) Street names; j) Stormwater Management Facilities; k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
25. Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer.
26. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 5.0-tons per acre per year.
27. 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-15; 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 of the WDNR at 273-5612 to discuss this requirement.

28. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to detain the 2-, 10-, and 100-year storm events, matching post development rates to predevelopment rates
29. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.
30. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to provide infiltration in accordance with Chapter 37 of Madison General Ordinances.
31. Complete an erosion control plan and 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.
32. The developer shall construct Madison Standard street and sidewalk improvements for all streets within the development.
33. The developer shall make improvements as required by City Traffic Engineer to facilitate ingress and egress to the development.
34. The developer shall note that AASHTO design standards for intersection sight distance will be applied during the design of the streets within this development.

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

35. The developer has requested certain roads be private. Although this may be beneficial to all parties, the details are not yet worked out. If the City ultimately agrees to make certain roads private, the City will need an easement over the private roads for pedestrians, bikes and motor vehicles and the necessary conditions will need to be determined with subsequent approvals.
36. The proposed development if approved in its current form will require the partial vacation and discontinuance of Savannah and Evan Acres Roads. The authorization for the City to vacate the right of ways under 66.1003(4) shall be conditioned upon the approval by the City the future SIP and Certified Survey Maps required for the development to proceed. Note, an Access Easement/Agreement providing access to and from the Sovereign Lands over the existing tribal lands to the remaining public right of ways will be required as a condition of approval for the vacation and discontinuance.
37. There are proposed site and building improvements that will impact the City Water and Sewer Utilities. This will require amendments to existing easements or new easements for any relocated and new public sanitary or water main facilities within the limits of this proposed site.

38. The development proposes buildings that will cross an underlying platted lot lines. Current fire code and City enforcement requires the underlying platted lot line be dissolved by Certified Survey Map (CSM) prior to issuance of a building permit. A CSM and required supporting information shall be prepared and submitted to the City of Madison Planning Department with the future submittal of the future SIP application. The CSM shall be approved by the City and recorded with the Dane County Register of Deeds prior to issuance of a building permit.
39. Per State Statute, the southeasterly half of Savannah Road adjacent to the City of Madison Yahara Hills park lands, upon vacation, would revert to the City of Madison. This land area has been included as part of the development within the plans for this GDP. Any conveyance from the City would require approval by the City of Madison Common Council. If not approved, the site plan would require revision.
40. Coordination with the operator of the gas main that passes through this site will be required. Approval of the proposed improvements will be necessary by the gas main operator that lie within the recorded easement Document Nos. 2110508 and 112301.
41. Depending upon the details of future SIP applications and final plans, additional Real Estate issues may arise as part of those reviews and require coordination with the City of Madison.

Zoning Administrator (Contact Jacob Moskowitz, 266-4560)

42. A Planned Development shall comply with all standards, procedures, and regulations of the Zoning Code that are applicable to the individual uses within the development, including the General Regulations of Subchapter 28I and the Supplemental Regulations of Subchapter 28J. Where the applicant proposes a development that does not comply with one or more of the regulations in those subchapters, they shall specifically request that the Plan Commission consider the application of those regulations in making its recommendations on the development, including specific language in the zoning text or depiction on the plans.
43. This project is designed as a planned multi-use site. Per Section 28.137(2)(a), a planned multi-use site shall have a plan and reciprocal land use agreement approved by the Traffic Engineer, City Engineer and Director of Planning and Community and Economic Development recorded in the office of the Dane County Register of Deeds.
44. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e). The Specific Implementation Plan shall show the required accessible stalls including van accessible stalls. A van accessible stall is a minimum of 8 feet wide with an 8-foot wide striped access aisle. Show the required signage at the head of the stalls.
45. Bicycle parking for this project shall be provided per Section 28.141(4) and Table 28I-3 as uses are established for the various spaces in the development. Per Section 28.141(11), required bicycle parking shall comply with short- and long-term bicycle parking requirements for both residential and non-residential uses, to be shown on the final plan sets. Show the dimensions of the bicycle stalls and the access aisles. Note: A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5)-foot wide access area. The access aisle must not be obstructed by vehicles, columns or other structures. Provide a detail of the proposed bike rack including any structured or wall mount bike racks.

46. Pursuant to Sec. 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.
47. Provide adequate development frontage landscaping per Section 28.142(5), Development Frontage Landscaping. Landscaping and/or ornamental fencing shall be provided between buildings or parking areas and the adjacent street(s), except where buildings are placed at the sidewalk. Note that landscaping must be installed on the private property.
48. Provide adequate interior parking lot landscaping per Section 28.142(6). For new development on sites previously undeveloped or where all improvements have been removed, a minimum of eight percent (8%) of the asphalt or concrete area of the parking lot shall be devoted to interior planting islands, peninsulas, or landscaped strips. A planting island shall be located at least every twelve (12) contiguous stalls with no break or alternatively, landscaped strips at least seven (7) feet wide between parking bays.
49. Exterior lighting provided shall be in accordance with MGO Section 10.085. Provide an exterior lighting plan and fixture cut sheets with the final plan submittal.
50. Provide a 75-foot protective buffer from the wetlands pursuant to Madison General Ordinances 37.09(3)(h) and the Wisconsin Administrative Code Chapter NR 103.04.
51. Work with Zoning and Planning staff to finalize the zoning text for the GDP.

Fire Department (Contact Bill Sullivan, 261-9658)

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| 52. Per IBC 706, a firewall without any openings is required to separate buildings at property lines. The proposed project shows the existing casino on a different property, which will not be able to be connected to the proposed buildings as currently designed. |
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Water Utility (Contact Adam Wiederhoeft, 266-9121)

53. This project configuration appears to require relocation of existing water mains and associated easements. All public water mains, water service laterals, and associated easements shall be installed by a standard City subdivision contract / City-Developer agreement. The applicant shall contact City Engineering Division to schedule the development of plans and the agreement. See Engineering Division comments for additional information.
54. Note: Redundant water supply cannot be established for the public water system in this area. If redundant supply is required for this development, a water main extension must be incorporated to extend across the interstate to connect with existing Zone 4 water mains.

Parks Division (Contact Kathleen Kane, 261-9671)

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| 55. The applicant is showing access to their project through the Millpond Road intersection with US 12/18. The Parks Division has concerns about adding more traffic to this intersection as it has already been identified as a challenging intersection with high traffic volumes that are anticipated to increase with the proposed development. |
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56. The applicant shall work with Traffic Engineering, City Engineering, Parks, and Planning Divisions to accommodate a future southern loop road as depicted in Yahara Hills Neighborhood Development Plan. Currently, it appears Building 5 will be in conflict from the proposed alignment shown in the neighborhood development plan.

57. Any improvements shown on parkland, such as landscaping, etc., shall be coordinated with the Parks Division.

Parks Division – Forestry Section (Contact Brad Hofmann, 267-4908)

58. 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 five (5) feet from both sides of the tree along the length of the terrace. No excavation is permitted within five (5) feet of the outside edge of a tree trunk. If excavation within five (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 prior to the start of construction. 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 wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

Metro Transit (Contact Tim Sobota, 261-4289)

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