



Project Address: 526 Pinney Street (15th Alder District – Ald. Martinez-Rutherford)
Application Type: Conditional Use
Legistar File ID # [78424](#)
Prepared By: Colin Punt, Planning Division
Report includes comments from other City agencies, as noted.
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Carl Ruedebusch; Ruedebusch Development and Construction, Inc.; 41605 Dovetail Dr; Madison, WI 53704

Contact: John Chapman; EUA; 309 W Johnson St #202; Madison, WI 53703

Requested Action: Consideration of a conditional use for dwelling units in a mixed-use building (\$28.084(2) MGO) in the TE district.

Proposal Summary: The applicant is seeking approval to construct a four-story mixed-use building with 138 dwelling units and 2,215 square feet of leasable commercial space.

Applicable Regulations & Standards: Section 28.183 MGO provides the process and standards for the approval of conditional uses.

Review Required By: Plan Commission

Summary Recommendations: The Planning Division recommends that the Plan Commission find that the standards for conditional uses are met and **approve** the request for dwelling units in a mixed-use district in the TE district, subject to the conditions from reviewing agencies beginning on page 4.

Background Information

Parcel Location: The subject site is a proposed 2.82-acre lot located at the northwest quadrant of the intersection of Pinney Street and Dempsey Road. It is within Alder District 15 (Ald. Martinez-Rutherford) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site, which is zoned TE (Traditional Employment District), is currently undeveloped.

Surrounding Land Uses and Zoning:

North: Across a Wisconsin & Southern Railroad, single-family residences zoned TR-C2 (Traditional Residential – Consistent 2 district);

East: Across Dempsey Street, small warehouse buildings zoned IL (Industrial Limited district).

South: Across Pinney Street, vacant parcels, with a four-story mixed-use building beyond, all zoned TE; and

West: Vacant parcels, with single-family residences beyond, all zoned TR-C3 (Traditional Residential – Consistent 3 district).

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Employment (E) for the subject site. The [Royster-Clark Special Area Plan](#) (2009) recommends Employment uses for the site.

Zoning Summary: The subject property is zoned TE (Traditional Employment District):

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000	122,642
Lot Width	50 ft	400 ft
Front Yard Setback	None	10 ft
Max. Front Yard Setback	20 ft (TOD)	10 ft
Side Yard Setback	5 ft	20 ft, 80 ft
Rear Yard Setback	20 ft	50 ft
Maximum Lot Coverage	85%	64%
Minimum Building Height	22 ft	50 ft
Maximum Building Height	5 stories/68 ft	4 stories/50 ft

Site Design	Required	Proposed
Number Parking Stalls	No minimum, 207 maximum	154
Electric Vehicle Stalls	10% EV ready (15), 2% EV installed (3)	16 EV ready, 4 EV installed
Accessible Stalls	6	6
Loading	No	No
Number Bike Parking Stalls	152	152 (2)
Landscaping and Screening	Yes	Yes (3)
Lighting	Yes	Yes
Building Form and Design	Yes	Flex Building

Other Critical Zoning Items	TOD Overlay, Utility Easements
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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 requesting conditional use approval of a four story, 136-unit building with 2,215 square-feet of commercial space. The general layout of the building is in a ‘V’-shape with two wings, opening to the northwest. The northern wing is four stories tall, while the majority of the southern wing is three stories tall. The commercial space is on the first floor, in the vertex of the ‘V’ at the corner of Pinney Street and Dempsey Road. The building has a unit mix of 25 efficiencies, 95 one-bedroom units, and 18 two-bedroom units. Residential amenities include a community room, fitness room, and rooftop patio over a portion of the three-story southern wing.

Vehicular access to the site is from Pinney Street at the southwest corner of the site. Vehicle parking is provided through 103 underground parking stalls accessed at either end of the building and 51 surface parking stalls generally situated within the building’s two wings. There are also 136 underground structured bicycle parking stalls and 16 outdoor bicycle parking stalls. There is also a small outdoor space located within the two wings of the building.

Primary façade materials include a cream brick masonry and dark gray metal siding. Trim and detail materials include aluminum railings and fascia, pre-cast caps, bands, and sills, metal canopies and railings, aluminum storefront window systems, and vinyl window systems. Landscaping includes low plantings around the base of the building, some trees around the parking lot and Dempsey Road façade of the building, and structured planters on the rooftop deck. A stormwater management dry basin is located in the northernmost corner of the site.

If approved, the applicant intends to begin construction in spring 2024, with completion of the project by summer 2025.

Analysis & Conclusion

This request is subject to the standards for conditional uses. This section begins with adopted plan recommendations, then provides an analysis of the conditional use standards, before offering a conclusion and recommendation.

Consistency with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends Employment (E) for the subject site. Employment areas include predominantly corporate and business office, research facilities, laboratories, hospitals, medical clinics, and other similar uses. The Plan states that while E areas are not generally recommended for residential uses, such uses may be considered as a part of a conditional use under relevant zoning districts. The [Royster-Clark Special Area Plan](#) (2009) recommends Employment uses for the site, specifically at heights of two to four stories.

Conditional Use Standards

The applicant is requesting approval of conditional uses for a dwelling units in a mixed-use building in the TE district. 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) M.G.O. 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.

Planning Division staff raise the issue of conditional use standard of approval four, which states that the establishment of the conditional use will not "impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district." Staff notes that the proposal is predominantly residential, while the recommendations of the [Comprehensive Plan](#) and [Royster Clark Special Area Plan](#) are both predominantly Employment. While the Plan Commission must make due consideration of the recommendations of the [Comprehensive Plan](#) and the [Royster Clark Special Area Plan](#), staff notes that the site is zoned with an employment district (TE), which is consistent with the adopted plans. Further, as noted above, the [Comprehensive Plan](#) states that residential uses may be considered as a part of a conditional use under relevant zoning districts. Additionally, the large mixed-use building to the south that houses a public library branch, is also predominantly residential and zoned TE. Staff does not believe that the approval of this request would impact the further development of the area in accordance with the recommendations of the adopted plans.

Staff believes all other conditional use approval standards can be found met subject to the recommended conditions or are not applicable to this proposal.

Conclusion

When considering the recommendations of the Comprehensive Plan in reference to Employment districts, Planning Division staff believes that the Plan Commission can find the conditional use standards of approval to be met.

At time of report writing, staff had not received any written public comments regarding this request.

Recommendation

Planning Division Recommendations (Contact Colin Punt 243-0455)

The Planning Division recommends that the Plan Commission find that the standards for conditional uses are met and **approve** the request for dwelling units in a mixed-use district in the TE district, subject to the conditions from reviewing agencies.

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. Provide a detail of the bicycle rack design.
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.

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

6. Per the WDNR closure letter, this property was closed with residual soil and/or groundwater contamination

(BRRTS #02-13-577234 ROYSTER CLARK CO (FORMER). Written approval from the WDNR is required prior to disturbing the existing barrier cap. Submit copy of WDNR approval letter to Brynn Bemis (608.267.1986, bbemis@cityofmadison.com).

7. Applicant shall revise sewer plan to connect the proposed building to sewer in Dempsey Road. The City does not have available sewer capacity on Royster Oaks Drive.
8. The applicant shall connect to or extend public storm sewer connecting directly to a public storm structure that is either in the public sidewalk or terrace area, or inlet at the curb on the side of the street, adjacent to the development. Any storm lateral extension crossing any lanes of traffic or running longitudinally within a public street right of way for over 20ft, in order to connect to the public system, shall be considered a private storm sewer lateral and will require an approved and recorded privilege in streets agreement. (POLICY)
9. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
10. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
11. 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.
12. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
13. Revise the site plan to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)
14. 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 at a minimum of one (1) foot of rise from the adjacent back of walk in the driveway 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.
15. 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.
16. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.

17. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>
Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.
18. 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 10year 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.
Oil/Grease Control: Treat the first 1/2 inch of runoff over the proposed parking facility and/or drive up window. Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.
19. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

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

20. There is a 50' wide Transmission Line per Doc No 1915732 to Madison Gas and Electric and also as separate easement to WPL per assignment Doc No 584928. There is a proposed dry basin with a storm sewer outlet for storm water management proposed in the northwest corner of this site. Also some landscaping is proposed along the north side of the building within the easement. Terms of the MG&E easement require written

approval for any grade change and plantings within the easement area. It is assumed the easements have been assigned to ATC, although a document of public record has not been located by City staff. Applicant shall provide documentation that any grade change is approved by the Utility operating the transmission lines within these easement areas.

21. The apartment numbers on the plans are not approved for use. There are numbers out of sequence along with odd numbers on the even side of the hall.
Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. Also, include a unit matrix for apartment buildings. The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) PRIOR to the verification submittal stage of this LNDUSE with Zoning. The final approved 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)

22. 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.
23. 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.
24. 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.
25. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
26. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
27. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.

28. 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.
29. 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.
30. 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.
31. 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.
32. "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.
33. 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.
34. The applicant shall prepare a TDMP (Traffic Demand Management Plan) to be reviewed and approved by the City Traffic Engineer. MGO (28.183(6)(a)(6)
35. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
36. 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 Dempsey Road 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.

Parks Division (Contact Kate Kane, 261-9671)

37. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the East Park-Infrastructure Impact Fee district. Please reference ID# 13123.6 when contacting Parks about this project.

Forestry Section (Contact Brad Hofmann, 267-4908)

38. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apparatus and street tree plan sets. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.
39. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the street tree plan set.
40. Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at (608) 266-4816. Penalties and remediation shall be required. Add as a note on the site, grading, utility, demolition, and street tree plan set.
41. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry at (608) 266-4816 prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the site, grading, utility, demolition and street tree plan sets.
42. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on both the site and street tree plan sets.
43. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on both the site and street tree plan sets.
44. Street tree pruning shall be coordinated with City Forestry at a minimum of two weeks prior to the start of construction for this project. Contact City Forestry at (608)266-4816. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on both the site and street plan sets.
45. 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.

Metro Transit (Contact Tim Sobota, 261-4289)

46. In coordination with any public works improvements, the applicant shall maintain or replace the concrete boarding pad surface at the existing Metro bus stop on the west side of Dempsey Road, north of Pinney Street (#7782).

47. The applicant shall install and maintain a new passenger waiting shelter with seating amenity - either as part of the private landscape plan or in the public right-of-way area - serving the curbside bus stop zone on the west side of Dempsey Road, north of Pinney Street. If located in the public right-of-way, the applicant shall submit a Privilege in Streets (Bus Shelter) application for review by the City. An approved Encroachment Agreement, for the bus shelter, shall be executed prior to sign off. Contact City Real Estate to start the Privilege in Streets (Bus Shelter) application process. (MGO 10.31)

48. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.

49. Metro Transit operates daily all-day transit service along Dempsey Road adjacent this property - with trips at least every 30 minutes. Additional service operates along Cottage Grove Road at Dempsey Road.

50. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 102 Weekday & 72 Weekend. Please contact Metro Transit if additional analysis would be of interest.

Parking Utility (Contact Trent Schultz, 246-5806)

51. The applicant shall submit a Transportation Demand Management (TDM) Plan to tdm@cityofmadison.com. The TDM Plan is required per MGO 16.03. The typical TDM Plan review fee is not required for this project, since it was submitted before June 15th, 2023.

NOTE: The use and site, provided land use approval is gained and a final certificate of occupancy is issued, will be subject to TDM Plan recertification two years following final certificate of occupancy issuance. Recertification fees will apply.