

## PLANNING DIVISION STAFF REPORT

August 25, 2025

PREPARED FOR THE PLAN COMMISSION



**Project Address:** 922-930 North Fair Oaks Avenue and 3357-3375 East Washington Avenue (District 12 – Alder Matthews)

**Application Type:** Zoning Map Amendment, Conditional Use

**Legistar File ID #** [88777](#) & [89078](#)

**Prepared By:** Colin Punt, AICP, and Jose Vazquez, Planning Division  
Report includes comments from other City agencies, as noted.

**Reviewed By:** Kevin Firchow, AICP, Principal Planner  
Meagan Tuttle, AICP, Planning Director

### Summary

**Applicant:** Travis Fauchald; Volker Development; 464 S Hickory St, Ste C; Fond du Lac, WI 54935

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

**Owner:** John R Brigham Trust; PO Box 481; Stoughton, WI 53589  
3357-3359 East Washington Avenue, LLC; 211 N Dickinson St; Madison, WI 53703

**Requested Action:** The applicant is seeking approval of:

- A zoning map amendment changing the zoning of 3357-3359 East Washington Avenue from TR-V1 (Traditional Residential-Varied 1 district) to CC-T (Commercial Corridor-Transitional district) and
- The following conditional uses, all per §28.067(2), MGO:
  - 171 dwelling units in a mixed-use building, and
  - A six-unit single-family attached dwelling.

**Proposal Summary:** The applicant is seeking to change the zoning of a portion of the site from TR-V1 to CC-T and build a five-story, 171-unit mixed-use building with 3,300 square feet of commercial space and a two-story, 6-unit townhouse.

**Applicable Regulations & Standards:** Standards for conditional uses are found in §28.183(6) MGO. Standards for zoning map amendments are found in §28.182(6) MGO.

**Review Required By:** Urban Design Commission (Urban Design District 5), Plan Commission (conditional use, rezoning), Common Council (rezoning)

**Summary Recommendations:** The Planning Division recommends the following to the Plan Commission regarding the applications for 922-930 North Fair Oaks Avenue and 3357-3375 East Washington Avenue. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies beginning on page 7.

- That the Plan Commission find the standards for zoning map amendments are met and forward the zoning map amendment from TR-V1 to CC-T at 3357-3359 East Washington Avenue to Common Council with a recommendation to **approve**; and
- That the Plan Commission find that the standards for conditional uses are met and **approve** the conditional use requests at 922-930 North Fair Oaks Avenue and 3357-3375 East Washington Avenue.

## Background Information

**Parcel Location:** The subject site, composed of nine existing parcels, is 104,438 square feet (2.4 acres) and located on the southern corner of North Fair Oaks Avenue and East Washington Avenue, generally between these two streets. The site is within Alder District 12 (Alder Matthews) and the Madison Metropolitan School District.

**Existing Conditions and Land Use:** Both 3357 and 3359 East Washington Avenue are currently zoned TR-V1 and are each occupied with a two-story, 2,134-square-foot four-unit multifamily buildings constructed in 1957 and 1952, respectively. The properties at 3361 through 3375 East Washington Avenue are all currently zoned CC-T. 3361 East Washington Avenue is occupied by a 4,543-square-foot, one-story office building built in 1962; 3365 East Washington Avenue is occupied by a 5,080-square-foot, one-story commercial store built in 1969; 3371 East Washington Avenue is occupied by a 3,581-square-foot, one-story commercial store built in 1962; and 3375 East Washington Avenue is occupied by a 1,878-square-foot auto repair station built in 1954. Both 922 and 926 North Fair Oaks Avenue are currently zoned CC-T and occupied with single-family residences, both of which have already been approved for demolition. 930 North Fair Oaks Avenue is also currently zoned CC-T and occupied with a 2,134 square-foot one-story warehouse built in 1957.

### Surrounding Land Uses and Zoning:

**North-West:** Across E Washington Ave West of Wright St, a one-story bank, zoned CC-T, a two-story two-unit residential building, zoned TR-C4, and single-family residences, zoned TR-V1.

**South:** Single-family residences zoned TR-C1 and a funeral home, zoned CC-T.

**East:** Across N Fair Oaks Ave, single-family residences, zoned TR-C1.

**Adopted Land Use Plan:** The [Comprehensive Plan](#) (2023) recommends Community Mixed Use (CMU) for the site. The [Northeast Area Plan](#) (2024) generally includes the same recommendations for this site. The Area Plan recommends commercial core frontages with ground floor commercial uses at the corner of North Fair Oaks Avenue and East Washington Avenue.

**Zoning Summary:** The subject property is proposed to be zoned CC-T (Commercial Corridor-Transitional district):

Requirements	Required	Proposed
Lot Area (sq. ft.)	None	104,438
Lot Width	None	425 ft
Front Yard Setback	5 ft	14 ft
Max. Front Yard Setback	20 ft (T.O.D Overlay)	14 ft
Side Yard Setback	5 feet	11 ft
Rear Yard Setback	20 ft	22 ft
Maximum Lot Coverage	85%	74%
Minimum Building Height	2 stories (T.O.D. Overlay)	5 stories
Maximum Building Height	5 stories/78 ft	5 stories/66 ft

Site Design	Required	Proposed
Number Parking Stalls	No minimum	161
Electric Vehicle Stalls	10% EV Ready = 16	17 EV Ready
Accessible Stalls	5	5
Loading	No	No
Number Bike Parking Stalls	207	208

Landscaping and Screening	Yes	Yes (see Zoning Comment 2)
Lighting	Yes	Yes
Building Form and Design	Yes	Commercial Block Building

Other Critical Zoning Items	Urban Design (UDD 5), Transit Oriented Development overlay, Utility Easements
-----------------------------	---

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.

**Previous Approvals:** The existing single-family residences at 922 and 926 North Fair Oaks Avenue have previously been approved for demolition by the Plan Commission on March 3, 2025 (ID [86734](#)). The same parcels were also rezoned to CC-T by Common Council on March 11, 2025 (ID [86991](#)).

## Project Description

The applicant is seeking approvals to change the zoning of a portion of the site from TR-V1 to CC-T and the necessary conditional uses to build a five-story, 171-unit mixed-use building with 3,300 square feet of commercial space and a two-story, 6-unit townhouse. All existing lots except 3357 and 3359 East Washington Avenue are currently zoned CC-T. Demolition permits for the remaining buildings have been requested since the demolition review process was revised in March 2025 (Leg ID [86649](#)), and as a result those requests are not before the Plan Commission for review. A new lot will be created at a later date by combining seven lots on North Fair Oaks and East Washington Avenues.

The larger building is generally “V”-shaped in plan, pointing north-northwest. The longer leg, along East Washington Avenue, is approximately 380 feet long. The overall length of the building was a concern raised early by UDC; however, for comparison, the approved building currently under construction at 3100 East Washington Avenue (ID [79332](#)) is approximately 450 feet long and the building across North Fair Oaks Avenue at the corner of East Washington Avenue that is part of the Rise complex (ID [71657](#)) is approximately 320 feet long. The 3,286-square foot commercial space is located at the northern “point” of the mixed-use building at the intersection of East Washington Avenue and North Fair Oaks Avenue. The driveway ramp down to the underground structured parking, an outdoor play space and a community outdoor terrace space are all located within the hollow of the V. The unit breakdown of the larger mixed-use building is 76 one-bedroom units, 68 two-bedroom units, and 27 three-bedroom units, for a total of 171 units and 293 bedrooms. All of the first-floor units along both street frontages have private entrances and stoops. Other first-floor spaces include two commercial tenant spaces, office space for a community service organization, and exercise room, and a commons space that opens onto the outdoor community plaza. Floors two through five are occupied with dwelling units. The fifth floor features small setbacks at the ends of the building’s two arms. The mixed-use building includes 114 underground vehicle parking stalls and 168 structured bicycle parking stalls. Principal façade materials of the mixed-use building are a dark gray brick veneer on the first floor and lighter gray composite lap siding on the upper four stories. Accent façade materials include a dark brown composite lap siding and red, yellow, and white composite panels. Other trim materials include composite trim, cast stone, black railings and handrails, black-framed windows, and aluminum storefront units in black.

Each of the six rowhouse units has three bedrooms and the building is clad in similar materials and colors as the larger mixed-use building. Each has one garage vehicle space and one surface parking space, as well as one internal bicycle parking space. The front entrances are recessed behind the garages.

Outdoor spaces include a structured terrace within the V of the larger building above the underground parking. The terrace features seating areas, a fire pit, grilling areas, and shade structures. A children's play area is located next to the terrace. A dog run is located south of the vehicular drive near the rowhouse building. A small outdoor eating area is to be located at the point of the flatiron site nearest the street intersection. The full site also includes 47 surface bicycle parking spaces in addition to the structured bicycle parking in the two buildings. Landscaping includes low-level plantings of perennials, grasses, and small shrubs around the base of the buildings. Several overstory deciduous trees are proposed to be located in parking lot islands between the two buildings, as well as within the small open space at the flatiron point of the site.

Two-way vehicular traffic through the site between the larger mixed-use building and the rowhouse building generally moves between East Washington Avenue and North Fair Oaks Avenue, with surface parking along the drive aisle.

If approved, the applicant intends to begin demolition in early autumn 2026, with project completion by autumn 2027.

## Analysis

This request is subject to the standards for zoning map amendments and conditional uses. This section begins with a summary of adopted plan recommendations, and includes sections for zoning map amendment standards, conditional use standards, and a review of Urban Design Commission actions.

### Consistency with Adopted Plans

The [Comprehensive Plan](#) (2023) recommends Community Mixed Use (CMU) for the site. CMU areas support an intensive mix of residential, commercial, and civic uses serving residents and visitors from the surrounding area and the community as a whole. New development is expected to be two- to six-stories at residential densities of up to 130 dwelling units per acre.

The [Northeast Area Plan](#) (2024) generally includes the same recommendations, but identifies the adjacent portions of East Washington Avenue as a "Development Corridor." The Area Plan also recommends the intersection of Fair Oaks Avenue, Wright Street, and East Washington Avenue as a "Commercial Core" in which future buildings should have ground-floor commercial uses.

Staff believes the proposal can be founded to be generally consistent with the recommendations in the City's adopted plans.

### Zoning Map Amendment Standards

The Zoning Map Amendment standards, found in 28.182(6), MGO state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety, and welfare, shall be consistent with the [Comprehensive Plan](#), and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City's [Comprehensive Plan](#). 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan."

CC-T (Commercial Corridor-Transitional district) is a zoning district often used to implement the CMU recommendations in adopted plans. Under the proposed CC-T zoning within the TOD Overlay district, a mixed-use

building with up to 100 dwelling units and five stories is a permitted use. Additional units and/or height can be approved by Plan Commission as a conditional use, as is the case here. As CC-T is a mixed-use/commercial district and this proposal is adjacent to residentially-zoned lots on North Fair Oaks Avenue, the proposed development must meet the height transition requirements of the zoning code, which this proposal does, by virtue of placing the smaller rowhouse building in the transition zone and placing the mass and height of the mixed-use building further north on the site.

Based on the summary of the plan recommendations above, Staff believe that based on the CMU land use recommendation in the Comprehensive Plan and the recommendations in the Northeast Area Plan that the zoning map amendment request to change the zoning of the site from TR-V1 to CC-T is consistent with adopted plans and all applicable standards can be found met.

### **Conditional Use Standards**

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

Staff notes that, with regard to standards 3 and 4, which read "The uses, values and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner," and "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," respectively, that while the proposed building is substantially larger than those it replaces and borders parcels planned and zoned for low-intensity residential uses, the subject site is recommended for Community Mixed Use, with which the proposed uses and buildings are consistent, and that the proposal meets the height transition requirements to those adjacent residential district. Further, required district boundary screening is proposed in the form of a wooden privacy fence. As such, staff believe standards 3 and 4 can be found met.

Staff also raises the issue of conditional use standard of approval 8, which requires, in part, that "the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with existing or intended character of the area." Related to standard 8, during initial discussions with the applicant team, Planning and UDC Staff raised concerns about building length, mass and scale of the larger building; and that HVAC louvers often found on multifamily residential buildings, are not shown on the street facing facades of proposal. In a UDC informational presentation, the applicant indicated that wall pack units would be located in individual balcony returns to limit visibility. Staff recommend that if added later, "wall packs" on street-facing walls will require approval of an alteration to the conditional use. Other issues related to standard 8 are further discussed in the Urban Design Commission section below, but staff believe that if the conditions of approval recommended by UDC are addressed satisfactorily, the Plan Commission can find standard 8 to be met.

Staff believe all other conditional use standards can either be found to be met or do not apply to this request.

### **Urban Design Commission**

Staff provide the following comments regarding Condition Use approval standard eight (8): "...the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district. In order to find

that this standard is met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission (UDC) for comment and recommendation.” As the site is within Urban Design District 5, the UDC is also an approving body for this request. During initial discussions with the applicant team, Planning and UDC Staff raised concerns about building length, mass and scale of the larger building, architecture of the northern corner element, building materials, integration of the wall packs, and landscape and screening for the site.

At its August 13, 2025 meeting, the Urban Design Commission granted initial approval to the proposal, with the following recommended conditions, to be approved administratively by the Secretary of the Urban Design Commission:

- The townhome building design shall be refined to reflect a better distribution of the proportions between the windows, sills and masonry base with the goal of minimizing the appearance of the parapet wall or space above the second floor window as much as possible.
- The applicant shall provide a section on the townhome development.
- The building design along N Fair Oaks Avenue shall be revised to reduce the mass and scale and provide a better transition to the existing residential development, including but not limited to incorporating stepbacks, articulation in the base, human scale architectural elements, landscape, yard spaces/fences, etc.
- Further exploration of how to soften the N Fair Oaks elevation.
- Exploring the change of the white material to be more consistent with other material colors on the building.
- Further explore the connectivity between the townhomes and the residential building, including minimizing parking, increasing landscape, etc.
- Adding protection at the corner for the patio area including a seat wall and/or landscape.

Because the site is within Urban Design District 5, the UDC is an approving body for this request and the proposal must be awarded final approval by UDC prior to final site plan approval and issuance of building permits. Please see Legislative [ID 87242](#) for more information about the UDC review and action.

### **Public Comment**

A neighborhood meeting regarding this proposal was held on January 23, 2025. At time of writing, Staff has received one written public comment regarding this land use request, which is attached to the legislative file.

## **Conclusion**

When considering the recommendations of the Comprehensive Plan and Area Plan, the findings and conditions of the UDC, and the discussions regarding conditional use standards 3, 4, and 8, Staff believes that all applicable standards of approval for zoning map amendments and conditional uses can be found to be met.

## **Recommendation**

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

The Planning Division recommends the following to the Plan Commission regarding the applications for 922-930 North Fair Oaks Avenue and 3357-3375 East Washington Avenue. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies below.

- That the Plan Commission find the standards for zoning map amendments are met and forward the zoning map amendment from TR-V1 to CC-T at 3357-3359 East Washington Avenue to Common Council with a recommendation to **approve**; and
- That the Plan Commission find that the standards for conditional uses are met and **approve** the conditional use requests at 922-930 North Fair Oaks Avenue and 3357-3375 East Washington Avenue.

**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. 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.
3. 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.

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

4. Based on historical land use (auto repair shop) the property may contain residual contamination. If contamination is encountered, follow all WDNR and DSPS regulations for proper handling and disposal.
5. Applicant shall provide projected wastewater flow calculations as a condition for development. Offsite sewer improvements by the developer will be required as a condition for development with the streets being Burke Ave. (Fair Oaks to Powers Ave.) and partial sewer replacement of Powers Ave (Burke Ave. to Lexington Ave.). Survey of sanitary sewer inverts on Powers Ave/ will confirm replacement limits on Powers Ave.
6. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
7. Construct sidewalk, terrace, curb, gutter, and pavement along E Washington Avenue and N Fair Oaks Avenue to a plan as approved by City Engineer
8. 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))

9. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
10. 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.
11. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
12. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
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 4,000 sf or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at [meberhardt@cityofmadison.com](mailto:meberhardt@cityofmadison.com), or Daniel Olivares (east) at [daolivares@cityofmadison.com](mailto:daolivares@cityofmadison.com), for approval. The permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.  
This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at [meberhardt@cityofmadison.com](mailto:meberhardt@cityofmadison.com), or Daniel Olivares (east) at [daolivares@cityofmadison.com](mailto:daolivares@cityofmadison.com), for approval. Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction

period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>

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

This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.

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 10-year storm event shall be reduced by 5% compared to the volumetric discharge from the site in an existing condition during the 10-year storm event. These required rate and volume reductions shall be completed, using green infrastructure that captures at least the first 1/2 inch of rainfall over the total site impervious area. If additional stormwater controls are necessary beyond the first 1/2 inch of rainfall, either green or non-green infrastructure may be used.

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

100-year Overflow: The applicant shall demonstrate that water can leave the site and reach the public ROW without impacting structures during a 100-year event storm. This analysis shall include reviewing overflow elevations and unintended storage occurring on site when the storm system has reached capacity.

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](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West).

20. Stormwater discharge from this site shall be directed to the Stormwater system on East Washington to the extent possible. Presumably, a sump pump for the underground parking will be required and permit for that discharge shall be required.

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

21. Grant a Public Sidewalk Easement(s) to the City on the face of the forth coming Certified Survey Map along the frontages of Fair Oaks Ave. and E Washington Ave. The final Width an location shall be approved by Engineering and Traffic Engineering. Contact Jule Smith with Engineering Mapping Jsmith4@cityofmadison.com for the final language to be included on the face of the CSM.
22. Release the public utility Easement for the portion required that the building will occupy or utility companies allow Any portion(s) of a public easement that is intended to be released shall be released by separate document prepared by City Office of Real Estate Services. Contact Jule Smith of Engineering Mapping (jsmith4@cityofmadison.com, 608-264-9276) to coordinate the Real Estate project, and associated information and fees required. If any release is required prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the plat.
23. For underground encroachments, provide a signed and sealed Plat of Survey and legal description by a Professional Land Surveyor compliant with Chapter A-E 7 of the Wisconsin Administrative Code showing the improvements with a fully dimensioned and legally described three dimensional boundary of the encroachment area. Dimensions tied to a quarter section line and referenced to the Dane County Coordinate System and NAVD 88(91). Provide an electronic copy of the survey (pdf) and legal description (MS Word) to the Land Records Coordinator, (Jule Smith - jsmith4@cityofmadison.com) for review, comment and coordination. The encroachment agreement shall require Applicant/Owner to be a member of Diggers Hotline throughout the term of this agreement and shall adequately mark the location of underground features upon a Digger's Hotline notification. apply for a Privilege in Streets for the private storm connection that does not terminate in a public structure at the curb line or provide an additional structure to meet the requirement.
24. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, access, parking, utilities, common areas, storm management that are necessary to accomplish the land division or site development as proposed prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance. There is proposed use of the adjacent parcel at 3325 E Washington Ave for Parking, a Sanitary Sewer lateral crossing and a proposed Storm Sewer inlet and storm water crossing the parcel. provided an agreement(s) for the use of these lands.
25. Release the various Right of Way/access easements/agreements per document nos. 860319, 1061958, and 1241481 (not shown on survey) that run throughout the site.
26. The proposed new building crosses an underlying platted lot line. Prepare a Certified Survey Map (CSM) and submit to the Planning Unit to dissolve underlying lot lines to comply with fire codes, City Ordinances and City Policies. The CSM shall be approved by the City, recorded with the Dane County Register of Deeds and new Tax Parcel information available prior to issuance of a building permit.

27. Coordinate and request from the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the forth coming Certified Survey Map.
28. Provide a full and complete legal description of the site or property being subjected to this application on the site plan. The site plan includes more land than what is described in the survey.
29. Confirm no offsite structures are connect to the Sanitary Manhole designated as San-5 on Sheet 1 of 1 of the ALTA survey. If offsite laterals are connected to this structure provide continued sewer connection and easement to any existing user.
30. The address of the proposed apartment building is 952 N Fair Oaks Ave. The addresses for the townhouses and commercial will be determined at a later date. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
31. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building or early start permits for new construction.
32. Submit a site plan and a complete set of building Floor Plans (for each individual building) 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 an interior and building addressing plan for the proposed multi-building complex. Each building page should include a key locator and north arrow. Also, include a per floor unit matrix for the 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 Mally, 266-5987)

33. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a minimum five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance, where applicable, along their site's frontage of N. Fair Oaks Avenue.
34. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a minimum six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance, where applicable, along their site's frontage of E. Washington Avenue.
35. The applicant shall be responsible for the construction of a traffic island, marked continental crosswalk, pedestrian ramps, and pedestrian crossing signage to facilitate pedestrian crossings of N. Fair Oaks Avenue.

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 East Washington Avenue will be granted for construction purposes. Provide a detailed construction plan to Traffic Engineering for review prior to final signoff.
37. Traffic Engineering has not received or been able to review the requested Traffic Study for this project. The applicant shall provide a Traffic Study approved by Traffic Engineering prior to sign-off. Traffic Engineering may require additional improvements as recommended from the Traffic Study prior to sign-off.
38. The City Traffic Engineer may require public signing, marking and street lighting related to the development; the Developer shall be financially responsible for such signing, marking and street lighting.
39. 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.
40. 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.
41. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
42. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
43. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
44. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
45. Applicant shall submit for review a Waste Removal Plan. This shall include vehicular turning movements, times, vehicle size, use of loading zones and all related steps to remove trash from its location.
46. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
47. 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.

48. 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.
49. 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.
50. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds three stories prior to sign-off to be reviewed and approved by Andrew Oliver, (267-1979, aoliver@cityofmadison.com) Traffic Engineering Shop, 4151 Nakoosa Trail. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
51. The driveway slope to the underground parking is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.
52. 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.
53. Applicant shall submit for review a Commercial Delivery Plan. This plan will include times, vehicle size, use of loading zones and all related turning movements.

**Fire Department** (Contact Matt Hamilton, 266-4457)

54. Provide fire access per 2024 IFC and MGO 34. Building #2 does not appear to comply with fire access requirements based on layout shown on CA103.

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

55. Low-cost housing is exempt from Park Impact Fees. This exemption only applies to those dwelling units or bedrooms within a development that are determined to be low-cost housing. This exemption does not extend to the land dedication requirements set forth under Sec. 16.23(8)(f), MGO, nor any other impact fees that may apply to a development.
56. The park impact fee will be exempt for developments that meet the "low-cost housing" requirements, as defined as rental or owner-occupied housing units that are affordable, as that term is defined in Sec. 4.22(2), MGO, and which meet the deed restriction requirements of Sec. 4.22(7). A low-cost housing certification from the Community Development Division is required for Park Impact Fee exemptions. For projects that do not receive funding from the Community Development Division, a Land Use Restriction Agreement (LURA) with

the Parks Division is required. If a Parks-LURA is required, requests can be emailed to [parkimpactfees@cityofmadison.com](mailto:parkimpactfees@cityofmadison.com)

57. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(6)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the east Park-Infrastructure Impact Fee district. The Park Impact Fee ID# for this project is 25043. Visit <https://www.cityofmadison.com/parks/about/impactFees.cfm> for information about Park Impact Fee rates, calculations, and payment process.

**Water Utility** (Contact Jeff Belshaw, 261-9835)

58. Update Utility plan with call outs to indicate water service connection types, size and proposed material. Eliminate the public hydrant or move it to private property.

59. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

**Metro Transit** (Contact Tim Sobota, 261-4289)

60. Metro Transit operates daily all-day rapid transit service along East Washington Avenue near this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays and Saturdays).
61. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 79 Weekday & 59 Weekend. Please contact Metro Transit if additional analysis would be of interest.

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

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