



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 2501-2525 University Avenue (District 5 – Ald. Bidar-Sielaff)

**Application Type:** Demolition Permit and Conditional Use

**Legistar File ID #** [36811](#)

**Prepared By:** Kevin Firchow, AICP, Planning Division  
Report Includes Comments from other City Agencies, as noted

**Reviewed By:** Jay Wendt, Principal Planner

## Summary

**Applicant and Property Owner:** Robert Lindholm; Lindholm Properties, LLC; 3801 Regent St; Madison, WI 53705

**Contact:** Gary Brink, Gary Brink & Associates; 7780 Elmwood Avenue, Suite 204; Middleton, WI 53562

**Requested Action:** The applicant requests approval to demolish two buildings and multiple conditional uses: 1) Constructing a new building exceeding 25,000 square feet of gross floor area; 2) Exceeding the side yard height transition rules when adjacent to residential zoning district; 3) Providing less than 75% of the ground floor frontage in non-residential use; 4) Providing less than 75% of the ground floor area in non-residential use; and 5) Operating an outdoor seating area for food and beverage establishment.

**Proposal Summary:** Upon demolition of the two mixed-use structures, the applicant proposes to develop a three-story mixed-use building with 1,900 square feet of commercial space and 20 apartments. The building includes 24 underground parking stalls.

**Applicable Regulations & Standards:** This proposal is subject to the standards for demolition permits [MGO Section 28.185(7) and Conditional Uses [MGO Section 28.183(6)].

**Review Required By:** Plan Commission

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the demolition standards and conditional use standards met and **approve** the request to demolish two mixed-use structures for purpose of developing a three-story mixed used building at 2501-2505 University Avenue. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

## Background Information

**Parcel Location:** The subject site includes four (4) properties at the corner of University and Highland Avenue. Combined, these properties have an approximate area of 24,000 square feet. The subject site is within Aldermanic District 5 and is within the limits of the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The subject site currently includes three buildings and a surface parking lot. The 13-unit apartment building at 2525 University Avenue will remain and will be incorporated into this four-lot planned multi-use site. The existing surface parking lot at 2513 University Avenue will be reconfigured. The two



**Environmental Corridor Status:** The subject site is not located in a mapped environmental corridor.

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

## Project Description

The applicant, Lindholm Properties, requests approval to demolish two mixed-use structures for the purpose of constructing a three-story mixed-use building with 1,900 square feet of commercial space and 20 apartments. This proposed building, combined with an existing 13-unit apartment, will create a coordinated, “planned multi-use site.”

According to the City Assessor’s records, the larger of the two buildings proposed for demolition is a two-story building with a gross floor area of approximately 5,010 square feet. The building includes two (2) dwelling units comprised of a four (4) and a five (5)-bedroom unit. The ground floor has approximately 2,600 square feet of area. This building was constructed in 1912 and remodeled in 1978. The smaller building proposed for demolition is a two-story building with a total gross floor area of 3,541 square feet. That building includes three (3) apartments, comprised of a two (2) one-bedroom units and one (1) two-bedroom units. The ground floor has approximately 1,200 square feet of area. That building was constructed in 1917. No further information on the condition of these buildings was included in the applicant’s materials. Photos of the structures are attached.

The proposed development, with the existing building, includes the following dwelling unit count:

	Number of Units	Number of Bedrooms
<b>Proposed Building</b>		
Efficiency Units	6	6
One-Bedroom Units	7	7
Two-Bedroom Units	7	14
<b>Total</b>	<b>20</b>	<b>27</b>
<b>Existing Building</b>		
Efficiency Units	4	4
One-Bedroom Units	3	3
Two-Bedroom Units	6	12
<b>Total</b>	<b>13</b>	<b>19</b>

The proposal includes 24 underground parking stalls beneath the new building and 10 surface stalls. The letter of intent does not specify how many stalls will be devoted to the commercial use. The underground parking is accessed from a driveway accessed from Highland Avenue. The surface parking lot will be reconfigured, though will remain in generally the same location. The development includes six (6) surface bike stalls, 47 covered bike stalls, and nine (9) moped stalls.

The building has varied street setbacks. The commercial component is set back five (5) feet from the front property line on University Avenue and six (6) feet along Highland Avenue, near the corner. The front setback further down Highland Avenue varies between 3.5 and 4.5 feet. The residential projection on University Avenue is set back three (3) feet from the front property line.

The building’s exterior will be clad in a cream-colored brick with a smooth-faced block veneer lining the commercial base of the building. The chamfered corner of the building will be clad in metal panel above the ground floor, matching the metal cap that tops the entire building. As discussed in the analysis section, the applicant has made several adjustments to the building’s exterior throughout this process.

## Analysis and Conclusion

This request is subject to the approval standards for demolition permits and conditional uses. The below analysis begins with a summary of applicable plan recommendations, as both sets of standards reference these recommendations.

### Conformance with Adopted Plans

The Comprehensive Plan (2006) recommends “community mixed use” development for the subject site and surrounding properties along University Avenue. Recommended uses within this district include mixed-use buildings with net residential densities not exceeding 60 dwelling units per acre. The proposed development, including both the existing and proposed buildings, has a calculated density of 60 dwelling units per acre. Other design-related recommendations promote buildings located close to the street with parking located beside or beneath structures. Finally, the Comprehensive Plan identifies this area as a conceptual location for a Transit Oriented Development node. Such development is characterized by a compact, mixed-use development pattern that focuses the highest development densities and intensities in very close proximity to high capacity transit stops. This is intended to achieve a development pattern at and near transit stops that fosters travel via high-capacity mass transit.

The University Avenue Corridor Plan (2014) generally recommends the Comprehensive Plan be amended to reflect the less intensive “neighborhood mixed-use” planning designation for the subject site and surrounding properties. The corridor plan also provides more specific development recommendations for the subject property. Specifically, this plan recommends a maximum height of three-stories and 40 feet, consistent with this proposal. The plan also recommends a minimum five-foot setback in commercial areas in order to provide a more “comfortable space” for pedestrians between the sidewalk and the building façade and to provide an opportunity for landscaping. While commercial portions of the building are setback the recommended five feet, other portions of the building have a lesser setback. While the dimensions do not exactly follow the plan recommendations, staff understands that the Regent Neighborhood Association supports the project with the setbacks as proposed. There are no comments from other reviewing agencies objecting to the proposed setbacks.

### Demolition Standards

Prior to approving this proposed demolition and future use, the Plan Commission must find that the proposed demolition and future use are compatible with both the purpose of the Zoning Code’s demolition section and the purpose expressed in the Zoning Code for the subject TSS District. In making their finding, the Plan Commission may give weight to any relevant facts including the proposal’s effects on the normal and orderly development of surrounding properties. The proposed use should be compatible with adopted plan recommendations. The Plan Commission is also required to consider the report of the City’s Preservation Planner and any report of the Landmark’s Commission. The report of the City’s Preservation Planner states that the Landmarks Commission regrets the loss of historic fabric and the appropriate scale of the existing building adjacent to the residential neighborhood regarding 2503 and 2509 University Avenue. While noting this concern, the Planning Division believes the project can be found to meet the applicable demolition standards.

**Conditional Use Standards**

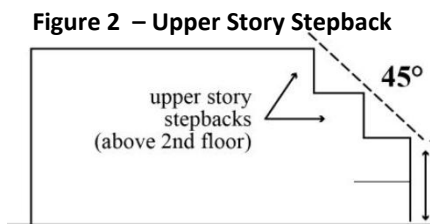
In order to approve a conditional use, the Plan Commission must find that all the conditional use standards are met. As noted above, there are five conditional use requests before the Plan Commission related to this proposal:

- Constructing of a new building exceeding 25,000 square feet of gross floor area
- Exceeding the side yard height transition standards adjacent to a residential zoning district
- Providing less than 75% of the ground floor frontage in a non-residential use
- Providing less than 75% of the ground floor area in a non-residential use
- Operating an outdoor seating area for food and beverage establishment

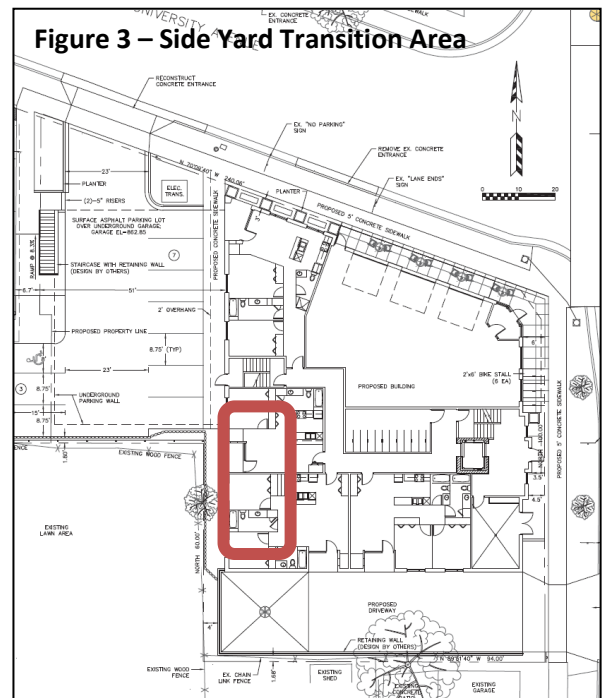
On balance, the Planning Division believes the project can meet the various conditional use standards. Discussion on selected standards related to recommended approval conditions is summarized below.

- **Standard 3 - "Use, Values and Enjoyment"** Few operational details are defined for the outdoor seating area. While not discussed in the application, information presented by the applicant at a December neighborhood meeting stated that the likely tenant would be a restaurant/coffee shop. Business hours of operation are proposed as 6:00 am – 10:00 pm Monday-Through Wednesday; 6:00 – 11 pm Thursday – Friday; 6:30 am – 11:00 pm Saturday; and Sunday 7:00 am – 9:00 pm. Considering its location on the street and not in the rear of the property, staff believes that the eating area will have less of an impact on nearby single-family homes than if located in the rear. Staff recommends approval conditions clarifying the hours and has added an often-applied condition prohibiting outdoor amplified sound.
- **Standard 4 – "Normal and Orderly Development"** Four of the requested conditional uses relate to design elements of the building. On balance, staff believes that the three requests related to a size greater than 25,000 square feet and non-residential percentages below 75% of the area and ground floor frontage can meet this and other conditional use standards.

The request to exceed the side/rear yard height transition should also be carefully considered. The area in question is identified in Figure 3. Without conditional use approval, the third floor of the building in this location would need to be "stepped back" at a 45-degree angle above the second floor, as shown by the below zoning code graphic:

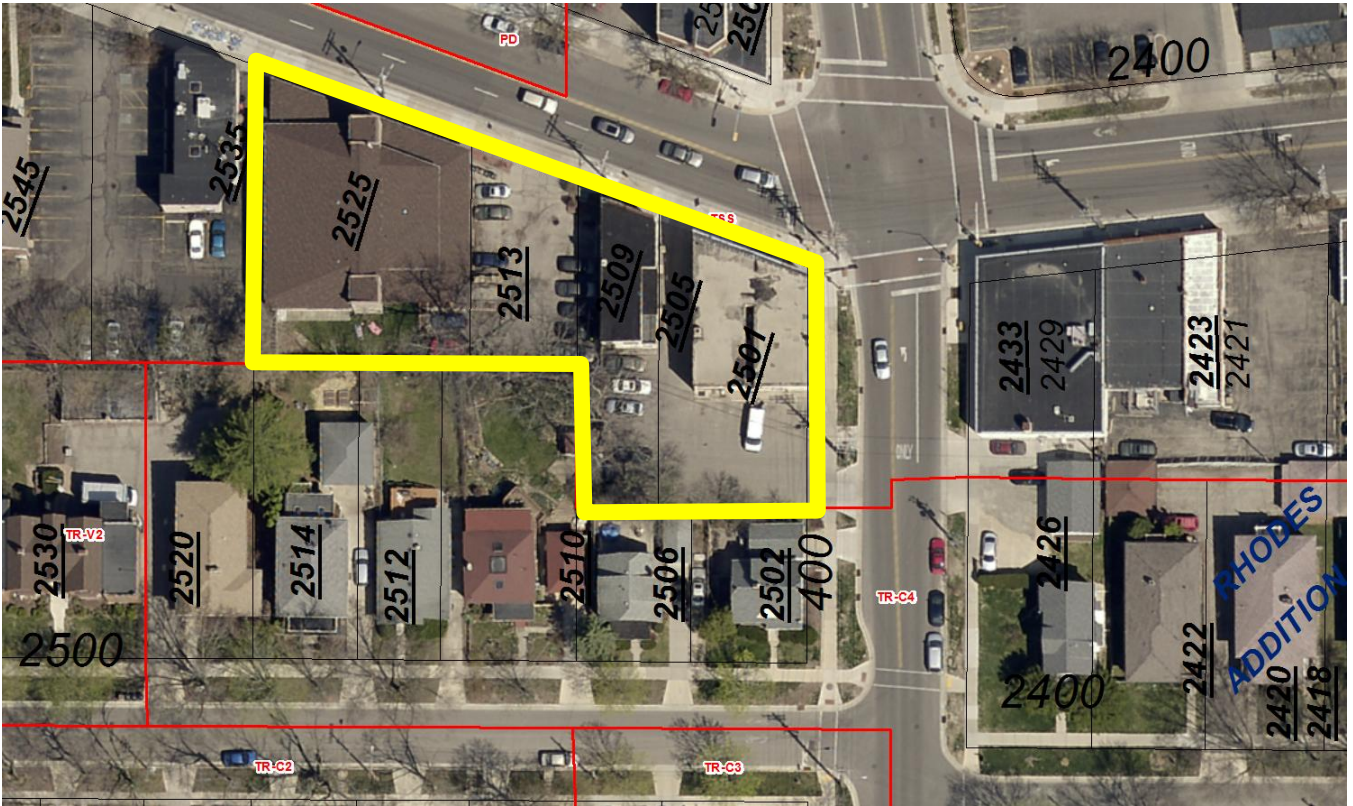


In pre-application discussions with the project architect, meeting this standard would result in the reconfiguration of third floor units and the loss of units/bedrooms, which was a significant concern for the development team.



The single-family home at 2510 Kendall Avenue abuts this side lot line. From a grading perspective, that property generally sits between 1-4 feet higher than the proposed subject site, in this area. At the time of report writing, staff has not received any correspondence from that property owner, or other property owners regarding concerns on the proposed setback and stepback.

**Figure 4 : Context Photo**



- **Standard 7 – “Conformance to Applicable Zoning District”** The Zoning Administrator has indicated that the project exceeds the maximum allowable lot area coverage. The TSS district requires lot coverage not exceed 85%. The applicant’s materials indicate a total lot coverage of 88.5%. While this standard cannot be waived by the Plan Commission, the calculated lot coverage can be reduced through the addition of pervious pavement, green roofs and decks. At the time of report writing, the project architect was exploring green rough options to comply with this standard.
- **Standard 9 – “Building Creates Environment of Sustained Aesthetic Desirability”** The Planning Division wishes to acknowledge the many improvements that the applicant and project architect have made to this project. One of the most significant changes occurred when the applicant revised concepts to meet the University Avenue Corridor Plan’s recommended three-story height limit. From there, the applicant has made several changes to the façade at the suggestion of Planning Division staff. Significant changes have increased the amount of window openings, widened and enhanced the chamfered corner, and better integrated the residential entrance into the façade.

Staff notes that none of the renderings or elevation drawings depict “wall-packs” though based on review of the floor plans, it appears these will be tucked into the balcony recesses.

The following images show the progression of the building's exterior design. The bottom image is the most recent and letter-size pages are included in the Plan Commission packets.

**Figure 5: Façade Progression Images**



**Pre-Application Concept**



**Original Application Proposal**



**Revised Proposal**

## Public Input

At the time of public input, the Planning Division had not received any correspondence regarding this proposal. The applicant has attended two neighborhood meetings. Staff understands that the Regent Neighborhood Association generally supports this request and staff anticipates a follow-up letter will be provided specifically outlining their position on this project and their recommended conditions of approval.

## Conclusion

The Planning Division believes that the approval standards for Demolition Permits and Conditional Uses can be met with this proposal. The applicant has made several important revisions, with perhaps the most significant change being the redesign of the building to meet the recommended three-story height limit in the recently adopted University Avenue Corridor Plan. As noted in this report, the proposal is consistent with many of the key recommendations of that document. At the time of report writing, the Planning Division was not aware of opposition to this request.

## Recommendation

### Planning Division Recommendation (Contact Kevin Firchow, 267-1150)

The Planning Division recommends that the Plan Commission find that the demolition standards and conditional use standards met and **approve** the request to demolish two mixed-use structures for purpose of developing a three-story mixed used building at 2501-2505 University Avenue. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

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

#### Planning Division (Contact Kevin Firchow, 267-1150)

1. That the outdoor seating area shall be closed by 10:00 pm Mondays-Wednesday; 11:00 pm Friday-Saturday, and 9:00 pm Sunday. The outdoor seating area shall not open prior to 6:00 am, daily. No outdoor amplified sound shall be allowed at any time.
2. No HVAC “wall-pack” penetrations/louvers are shown on the street-facing facades. Floor plans suggest such penetrations will be located within balconies/recesses and not on the outward-facing façade walls. 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.

#### City Engineering Division (Contact Janet Schmidt, 261-9688)

3. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor’s Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.



4. The proposed lots within this development are dependent on each other for overland and subsurface stormwater drainage and stormwater treatment. A private reciprocal Storm Sewer/Drainage Easement/Agreement for the lots within this development shall be drafted, executed and recorded prior to building permit issuance.
  5. Portions of proposed retaining walls are shown to be immediately adjacent to exterior property lines of this development. An easement/agreement with the adjacent property owner(s) shall be drafted, executed and recorded prior to building permit issuance for the construction and maintenance of the retaining walls that require entry onto adjacent property for construction and/or maintenance.
  6. The proposed lots within this development have a common access and parking areas shown for the development. A private Common Access Easement/Agreement to supersede the current agreements of record between the lots within this development shall be drafted, executed and recorded prior to building permit issuance.
  7. The address of 2505 University Ave is approved for the commercial space. The apartments will have a base address of 408 Highland Ave.
  8. This property is an open PCE contamination site (BRRS # 6213556991). Copies of the complete site investigation report and remedial actions report shall be submitted to City Engineering (Brynn Bemis at [bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com)). The Developer shall provide proof of coordination with WDNR to remediate and close the site.
  9. The proposed building shall be equipped with a vapor mitigation system, unless determined unnecessary by the WDNR.
10. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer 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. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project. (MGO 16.23(9)c)
  11. 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.
  12. Submit a PDF of all floor plans to [izenchenko@cityofmadison.com](mailto:izenchenko@cityofmadison.com) so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
  13. The approval of this Conditional Use or PUD does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items

required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester. (MGO 16.23(9)(d)(6))

14. The applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development. (POLICY)
15. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction. (POLICY)
16. The Applicant shall provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system. (POLICY)
17. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl, of the City Parks Department - [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816. Approval and permitting of any tree removal or replacement shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan. (POLICY)
18. All damage to the pavement on University Avenue and Highland Avenue, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)
19. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in the ROCK RIVER TMDL ZONE and by Resolution 14-00043 passed by the City of Madison Common Council on 1/21/2014. You will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR.
20. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the 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 7.5-tons per acre per year.
21. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required. (NOTIFICATION)
22. This project will require a concrete management plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. (POLICY)
23. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to a) Reduce TSS by 80% (control the 5 micron particle) off of newly developed areas compared to no controls; and b) 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 the Madison General Ordinances. Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

24. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). 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) lot lines and right-of-way lines, e) Street names, f) Stormwater Management Facilities, and g) detail drawings associated with stormwater management facilities (including if applicable planting plans).
25. The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including: a) SLAMM DAT files; b) RECARGA files; c) TR-55/HYDROCAD/Etc and d) Sediment loading calculations.
26. The area adjacent to this proposed development has a known flooding risk. All entrances shall be 2-feet above the adjacent sidewalk elevation or 1-foot above the 100-year regional flood elevation (whichever is greater). This includes garage entrances. (POLICY).
27. This project appears to require construction dewatering and/or possibly permanent dewatering and is in an area with potential groundwater contamination. The applicant shall be required obtain the approval of Public Health – Madison & Dane County for this discharge. It can be anticipated that this will required completion of a boring on site and testing of water encountered for possible contaminates. Approval shall be granted before plans are approved for building permit release.
28. Contact Kirsti Sorsa for more information at 608-243-0356 or [ksorsa@publichealthmdc.com](mailto:ksorsa@publichealthmdc.com)).
29. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. MGO 37.05(7) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
30. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
31. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Schmidt (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
32. 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. (POLICY)
33. City of Madison Environmental Projects Staff have reviewed the subject site and determined that a Phase I ESA will be required of the applicant. The applicant shall provide one (1) digital and two (2) hard copies of an ASTM Phase I ESA prepared by an environmental professional. Staff review of this Phase I ESA will determine if a further investigative Phase II ESA is also required. Please submit any relevant Phase I and

Phase II ESAs to Brynn Bemis (608-267-1986, bbemis@cityofmadison.com) for further review.(MGO 16.23(5)(g)(2))

**Traffic Engineering Division** (Contact Eric Halvorson, 266-6572)

34. The developer shall work with the City to resolve any construction-related issues. A detailed construction plan shall be provided showing all access and staging areas.
35. This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, covered sidewalks will be constructed and maintained as soon as possible and little to no access to the Public Right-of-Way on University Ave or Highland Ave will be granted for construction purposes.
36. The Developer shall install Bassett District standard pedestrian lights along University Avenue frontage of the proposed development site.
37. Twenty three underground and 9 surface off-street auto parking spaces are provided for the development, which has 20 residential units. It is not clear whether any of the off street parking spaces are reserved at all times for residents. A condition of approval shall be that no residential parking permits shall be issued for 2505 & 2525 University Avenue unless a minimum of 20 off street parking spaces are reserved at all times for residents. If a minimum of 20 off street parking spaces are not reserved at all time for residents, the applicant shall inform all tenants of this restriction in their apartment leases. In addition, if a minimum of 20 off street parking spaces are not reserved at all time for residents the applicant shall submit for 2505 & 2525 University Avenue a copy of the lease noting the above condition.
38. 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.
39. 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.
40. 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.
41. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

Comments were not received in time to be included within this report. Please see their separate report.

**Fire Department** (Contact Bill Sullivan, 261-9658)

42. Provide fire apparatus access as required by IFC 503 2012 edition, MGO 34.503, as follows:
- a. The site plans shall clearly identify the location of all fire lanes.
  - b. MGO 34.503/IFC 503 Appendix D105, Provide an aerial apparatus access fire lane that is at least 26-feet wide, if any part of the building is over 30 feet in height. The near edge of the aerial fire lane shall be within 30-feet and not closer than 15 feet from the structure, and parallel to one entire side. The aerial fire lane shall cover not less than 25% of the building perimeter.
43. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

**Parks Division** (Contact Kay Rutledge, 266-4714)

44. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) may be required for all new residential development in this conditional use request. The developer must select a method for payment of park fees before signoff on the conditional use. This development is within the Vilas-Brittingham park impact fee district (SI27). Please reference ID# 15111 when contacting Parks about this project.
45. Additional street trees are needed for this project along University Ave. Please submit a site plan (in PDF format) to Dean Kahl – dkahl@cityofmadison.com or 266-4816. Approval and permitting of tree planting shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction – <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part2.pdf>.
46. Existing street trees along Highland Ave. shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>.
47. Approval of plans for this project does not include any approval to prune trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.

**Water Utility** (Contact Dennis Cawley, 261-9243)

48. The Madison Water Utility shall be notified to remove the water meter prior to demolition. This property is not in a wellhead protection district. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. The Water Utility will not need to sign off the final plans, and will not need a copy of the approved plans.

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

49. The applicant shall maintain or replace the existing concrete boarding pad on the west side of Highland, south of University Avenue.
  50. 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 and approve the design.
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51. Metro Transit historically has operated weekday transit service along Highland Avenue through the University Avenue intersection adjacent the project site. The existing concrete boarding pad is adjacent the proposed project site, with the historically signed bus stop zone encompassing the area from the concrete boarding pad north to the University Avenue intersection.
  52. Metro Transit may resume transit service past this bus stop location, as part of possible expansion of route service to/from the UW Hospital area.
  53. The applicant might consider additional transit amenities on the property adjacent this bus stop zone, such as a trash receptacle or a seating amenity, in finalizing their landscape plan.