



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 3734 Speedway Road (District 5 – Ald. Vidaver)  
**Application Type:** Demolition Permit and Conditional Use  
**Legistar File ID #:** [69785](#) & [69786](#)  
**Prepared By:** Chris Wells, Planning Division  
Report Includes Comments from other City Agencies, as noted  
**Reviewed By:** Heather Stouder, AICP, Planning Division Director  
Kevin Firchow, AICP, Principal Planner

## Summary

**Applicant & Property Owner:** Brandon Cook; John Fontain Realty; P.O. Box 694; Madison, WI 53701  
**Contact:** Kevin Burow; Knothe & Bruce Architects, LLC; 7601 University Avenue, Suite 201; Madison, WI 53562

**Requested Action:** This proposal involves three requests – 1) Consideration of a demolition permit to demolish a one-story commercial building; 2) Consideration of a conditional use to construct a mixed-use building with over 24 dwelling units in the Neighborhood Mixed-Use (NMX) District; and 3) Consideration of a conditional use for a building in the NMX District exceeding three stories or 40 feet in height – in order to construct a four-story, mixed-use building with 816 square-feet of commercial space and 31 apartments at 3734 Speedway Road.

**Proposal Summary:** The applicant proposes to demolish a one-story commercial building to construct a four-story, mixed-use building with 816 square-feet of commercial space and 31 apartments.

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

**Review Required By:** Plan Commission (PC)

**Summary Recommendation:** If the Plan Commission finds that all conditional use standards, including standards five and twelve can be found met, then the Planning Division recommends the Commission should approve the requested conditional uses to construct a mixed-use building with over 24 dwelling units and for a building in the NMX District exceeding three stories or 40 feet in height. Such approval shall be subject to the conditions recommended by reviewing agencies beginning on **page 8** of this report. However, if the Plan Commission finds that conditional use standards are not met, the Planning Division recommends that the Commission place the request on file without prejudice and specify the standards that have not been met and the reasons such standards were not met.

Regarding the demolition permit, the Planning Division recommends the Plan Commission refer the request to the April 25, 2022 Plan Commission meeting to allow the Landmarks Commission to review the proposed demolition, as required by 28.185(7), MGO.

**Background Information**

**Parcel Location:** The 20,940-square-foot (0.48-acre) subject property located on the north side of Speedway Road, between Glenway Street and Waverly Place. The site is located within Aldermanic District 5 (Ald. Vidaver) and the limits of the Madison Metropolitan School District.

**Existing Conditions and Land Use:** While until recently the subject site also contained a gas station and fuel pumps, it now only contains the one-story, 1,642-square-foot, former convenience store which is located near the center of the site. The building was originally constructed in 1966 and remodeled in 1992. [Photos](#) of the interior and exterior of the building have been submitted with the application materials. Aside from a small patch of grass located to the north of the building, the site is entirely paved.

**Surrounding Land Use and Zoning:**

- North:** Single-family residences in the Traditional Residential – Consistent 2 (TR-C2) District;
- Southeast:** Across Speedway Road are the Glenway Municipal Golf Course (zoned Parks and Recreation (PR) District) and the City’s Forest Hill Cemetery (zoned Conservancy (CN) District);
- Southwest:** One- and two-story, commercial buildings in the Neighborhood Mixed-Use (NMX) zoning district; and
- West:** Single-family residences in the Traditional Residential – Consistent 1 (TR-C1) District.

**Adopted Land Use Plan:** The [Comprehensive Plan \(2018\)](#) and the [Hoyt Park Area Joint Neighborhood Plan \(2014\)](#) both recommend Neighborhood Mixed-Use (NMU) for this parcel.

**Zoning Summary:** The property is zoned NMX (Neighborhood Mixed-Use) District.

Requirements	Required	Proposed
Front Yard Setback	0’ or 5’	5.5’
Max. Front Yard Setback	25’	5.5’
Side Yard Setback: Where buildings abut residential-zoned lots at side lot line	Minimum side yard required in the adjacent residential district (TR-C2): 6’	6’ north side yard
Side Yard Setback: Where proposed buildings or abutting buildings have window openings in side walls within 6’ of lot line	Two-story or higher: 6’	6’ south side yard
Rear Yard Setback	20’	20’
Usable Open Space	40 sq. ft./ d.u. (1,240 sq. ft.)	6,359 sq. ft.
Maximum Lot Coverage	75%	71%
Maximum Building Height	3 stories/ 40’	4 stories

Section 28.064(3)(d): Rear or side yard height transition to residential districts.

Site Design	Required	Proposed
Number Parking Stalls	<b>Multi-family dwelling:</b> 1 per dwelling (31) <b>General retail; service business; office:</b> 1 per 400 sq. ft. floor area (2) (33 total)	24 garage 2 surface (26 total)  <i>(See Comment #45)</i>
Accessible Stalls	Yes	Yes
Loading	Not required	None

Number Bike Parking Stalls	<b>Multi-family dwelling:</b> 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (31) 1 guest space per 10 units (3) <b>General retail; service business; office:</b> 1 per 2,000 sq. ft. floor area (2 minimum) (36 total)	31 garage 5 surface (36 total)  (See Comment #46)
Landscaping and Screening	Yes	Yes (See Comments #47 & #48)
Lighting	Yes	Yes
Building Forms	Yes	Commercial Block Building (See Comments #43 & #49)
<b>Other Critical Zoning Items</b>	Barrier Free (ILHR 69); and Utility Easements	

*Tables Prepared by Jenny Kirchgatter, Assistant Zoning Administrator*

**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. Metro Transit currently operates daily all-day transit service along Speedway Road adjacent this property - with trips at least every 30 minutes. Staff note however that the Transit Network Redesign Draft Plan that was identified by the Transportation Policy and Planning Board on January 31st, 2022 for public comment proposed reduced service along Speedway Road in the Mineral Point Road and Glenway Street intersection area, with trips only to operate on weekdays during peak periods. The closest intersections with daily, all-day bus service would be on Regent Street at Speedway Road, Midvale Boulevard at Mineral Point Road, or Monroe Street at Glenway Street.

## Project Description

The applicant proposes to construct a three- to four-story, mixed-use building with 816 square feet of commercial space and 31 apartments following the demolition of a one-story, former convenience store. In order to construct said building, the applicant is making three requests with this proposal – 1) Consideration of a demolition permit to demolish the one-story, commercial building; 2) Consideration of a conditional use to construct a mixed-use building with over 24 dwelling units in the Neighborhood Mixed-Use (NMX) District; and 3) Consideration of a conditional use for a building in the NMX District exceeding three stories or 40 feet in height.

The building proposed for demolition is a one-story, 1,642-square-foot former convenience store located near the center of the site. It was originally constructed in 1966 and remodeled in 1992. The site has two curb cuts along the Speedway Road frontage and one along the Glenway Street frontage. Aside from a small patch of grass located to the north of the building, the site is entirely paved. [Photos](#) of the interior and exterior of the building are included with the application materials, which appear to show a building in average condition. (Note: The Plan Commission’s formal review of the demolition request will need to be referred to the April 25 Plan Commission meeting, subject to review and an advisory recommendation by the Landmarks Commission.)

The ground floor of the proposed building consists of an 816-square-foot commercial space located at the eastern corner (the future tenant of the space is not yet known). Continuing west along the building’s Speedway Road façade is the residential lobby. Further west is the garage door which leads to the tenant parking - 24 automobile stalls and 31 long-term bicycle stalls - which occupy the vast majority of the ground-floor level. The second the third floors each have eleven residential units while the fourth floor, which is set back along the west, north, northwest, and southeast elevations, has seven units and a common room. The overall unit mix includes nine studios, 14 one-bedroom units, and eight 2-bedroom units. This works out to a density of 65 dwelling units per acre, given the 0.48-acre site. All of the units have either a private patio or, for all but two of the units on the fourth floor, access to a 10-12 foot deep rooftop terrace running the length of the unit. The common room, located at the eastern corner, also has access to the rooftop terrace.

Parking for the commercial space consists of two automobile and five bicycle stalls all located to the east of the building.

The proposed building exterior materials include a red brick and grey colored composite lap siding. Silver metal paneling is used as an accent material.

## Analysis and Conclusion

The proposed project is subject to the approval standards for Demolitions [MGO §28.185(7)] and Conditional Uses [MGO §28.183(6)]. This analysis begins with an analysis of adopted plan recommendations.

### Conformance with Adopted Plans

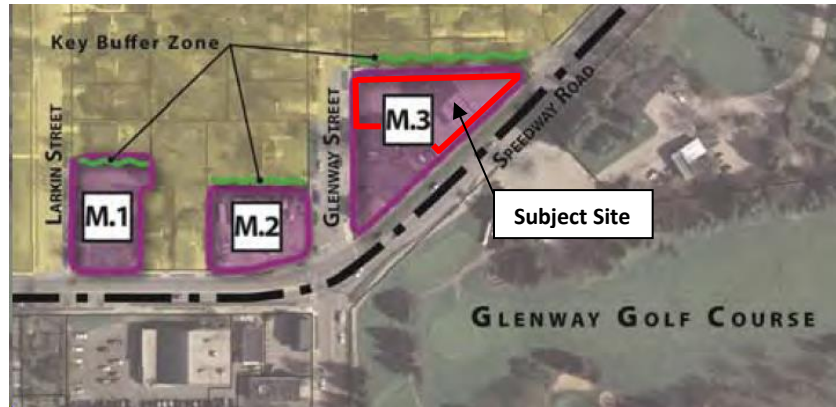
The [2018 Comprehensive Plan](#) recommends Neighborhood Mixed-Use (NMU) development for the subject site. The Plan states that NMU districts “include existing and planned relatively small Activity Centers (i.e. typically mixed-use areas that are more intensely developed than their surroundings and serve as the visual and/or functional center of a neighborhood, multiple neighborhoods, or a district). Regarding land use recommendations, the Plan states that these NMU Activity Centers include residential uses, as well as retail, restaurant, service, institutional, and civic uses primarily serving nearby residents. At the site level, it recommends that individual buildings be located close to public sidewalks, oriented towards the street, and typically not include more than 10,000 square feet of commercial space. It also recommends on-street parking where practical, with private off-street parking placed primarily behind buildings, underground, or shielded from public streets by liner buildings. Regarding general development intensity, it states that new buildings are expected to be 2-4 stories in height but that single-story buildings may be supported in very limited circumstances. For density, it recommends a maximum of up to 70 dwelling units per acre.

At three- to four-stories in height, with a density of 64.6 dwelling units per acre, a mix of commercial and residential uses, and located close to and oriented towards Speedway Road, the Planning Division believes the proposal can be found consistent with the [Comprehensive Plan](#).

The [Hoyt Park Area Joint Neighborhood Plan](#) (2014) identifies the subject site as located within its *Mineral Point/Speedway Focus Area*, which it defines as the existing neighborhood commercial node at the intersection of Glenway Street and Mineral Point Road/Speedway Road. The Plan notes that this focus area is a “key neighborhood destination and activity center. Long-term redevelopment and reinvestment within this area should focus on maintaining the walkable commercial character with buildings close to the street and parking screened from the surrounding properties. The properties in this area have a high level of interaction with the surrounding residential neighborhoods. Redevelopment proposals should be sensitive to local neighborhood form and character.”

In terms of land uses, it recommends neighborhood commercial, retail, professional services, offices, and first floor or upper floor residential uses. It recommends buildings of one to three stories in height and, specific to the three parcels to the northeast of the intersection (3742, 3739 and 3734 Speedway Road, which are indicated as area “M.3” in the Plan (see Image 1, below)), recommends specific guidelines such as: “Explore opportunities to use grade change to integrate height while transitioning to adjoining residential uses.” and “Limit heights along north property line to two stories. However, the overall height could be three stories, with a setback at the second story, along southern edge of building to take advantage of the grade change.”

While Staff believe that the proposal is consistent with the Hoyt Plan's recommended land uses, the proposed building exceeds the Plan's three-story maximum height recommendation. Regarding the bulk transition, the Plan labels this as a "Key Buffer Zone" (see Image 1) and recommends to "maintain single-family residential scale along adjoining streets and property edges." From a Zoning code standpoint, staff notes that: 1) the proposal meets the Zoning Code's requirements for *Side Yard Height Transition to Residential Districts* (MGO 28.064(3)(d)) along the entire northern property line (see further discussion below); and 2) the six-foot building setback along this property line satisfies the Zoning Code. Considering the approximate 10-foot drop in grade, staff notes that the difference in height between the proposed and existing structures is greater on the eastern, Speedway Road side of the site where the building is four story in height, compared to on the western Glenway Street side, where the height is three stories.



**Image 1 – An excerpt of the map of the Mineral Point/Speedy Neighborhood Commercial Node from the Hoyt Park Area Neighborhood Plan**

### Demolition Approval Standards

At its October 5, 2021 meeting, the Common Council adopted Ordinance 21-00065 (ID [67074](#)) to revise the standards and process for demolition and removal permits in Section 28.185 of the Zoning Code to remove consideration of proposed future use as a factor in approving demolition requests. In order to approve a demolition request under the revised standards, the Plan Commission shall consider the factors and information specified in Section 28.185(9)(c) and find that the proposed demolition or removal is consistent with the statement of purpose of the demolition permits section and with the health, prosperity, safety, and welfare of the City of Madison. The standards state that the Plan Commission shall consider the report of the City's historic preservation planner regarding the historic value of the property as well as any report that may be submitted by the Landmarks Commission.

The commercial building proposed for demolition is a one-story, 1,642-square-foot former convenience store located near the center of the site. According to the City Assessor's Office, it was originally constructed in 1966 and remodeled in 1992. [Photos](#) of the interior and exterior of the building are included with the application materials, which appear to show a building in average condition.

One of the demolition approval standards that the Plan Commission needs to find met states, "The applicant has included information related to any efforts to relocate the building, including but not limited to assessing the costs of relocation, the impact of relocation on city terrace trees, and the structural soundness of the building." Regarding this point, in communication with Staff, the applicant noted, "The existing building is a one-story, slab-on-grade building that was built to be a small convenience store tied to a gas station. Being a slab-on-grade building there is not a basement to get into, in order to raise the building up in order to relocate it. Also, there is not a floor structure to keep all of the walls connected to, so the relocation would require substantial interior construction and bracing in order to keep it together during transport. The building itself is older and not in great shape such that it would require a larger investment in order to extend its useful life. The mechanical systems are also outdated and would need to be replaced. All of these factors combined make it not feasible for relocation efforts, given the costs."

Finally, the demolition standards state that the Plan Commission shall consider the report of the City's Historic Preservation Planner regarding the historic value of the property as well as any report submitted by the Landmarks Commission. Prior to the issuance of this staff report, it was discovered that the applicant had not submitted an online notification of the demolition. As a result, the proposed demolition was never reviewed by the Landmarks Commission (as required by 28.185(7), MGO). Therefore, no action can occur on this item by the Plan Commission until they do.

### **Conditional Use 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 MGO §28.183(6) are met. Please note, recent changes to 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.

The Planning Division provides the following discussion on Standards 5 and 12, and believes the other standards can be found met.

Standard 5 states "*Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit and other necessary site improvements have been or are being provided.*"

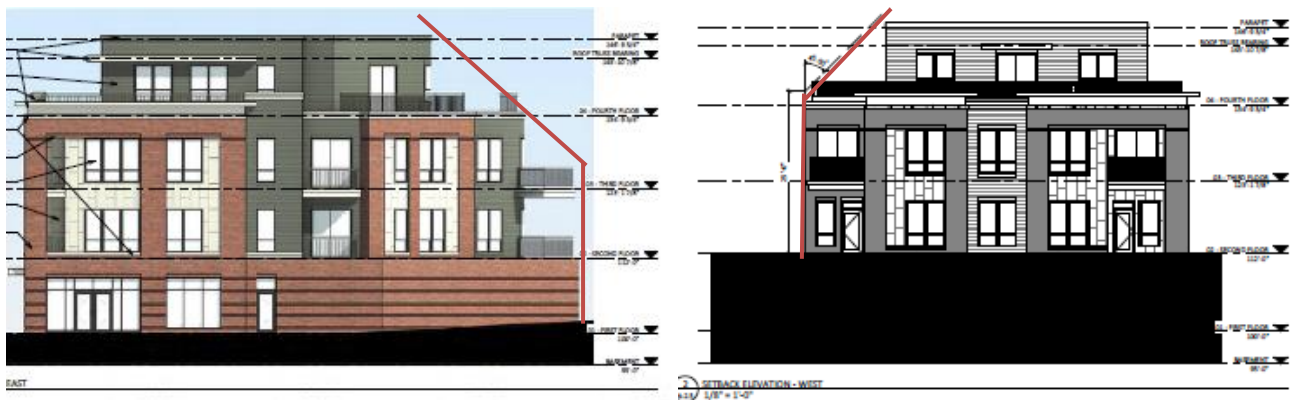
The applicant is providing 24 automobile parking stalls on site for the 31 units. Staff note that a seven-stall parking reduction does not require Plan Commission consideration as a conditional use (but would instead be reviewed administratively by the City's Zoning Administrator). There is on-street parking along both Glenway Street and Waverly Place, and residents who do not have a car would presumably rely on alternate means of transportation such as bicycling or transit. Regarding bicycle facilities, Staff note that the subject site is served by the Glenway multi-use path, which runs along the south side of Speedway Road (across from the subject site) before following Glenway Street south for 0.4 miles and merging with the Southwest Path toward downtown. As for current Metro service nearby, there is daily, all-day transit service along Speedway Road adjacent this property, with trips at least every 30 minutes. While no modifications have been approved at this time, a [Transit Network Redesign Draft Plan](#) that is available for public comment proposes to reduce service along Speedway Road in the Mineral Point Road and Glenway Street intersection area.

Standard 12 states, "*When applying the above standards to an application for height in excess of that allowed in the district, the Plan Commission shall consider recommendations in adopted plans; the impact on surrounding properties, including height, mass, orientation, shadows and view; architectural quality and amenities; the relationship of the proposed building(s) with adjoining streets, alleys, and public rights of ways; and the public interest in exceeding the district height limits.*"

The proposed building's height and mass are two areas with potential impact on the surrounding properties, with the former, in this case, requiring a conditional use. Inconsistencies with the Hoyt Park Area Joint Neighborhood Plan are described above.

Regarding the impacts of shadows cast by the proposed development over the year on the surrounding properties, the applicant has developed a [shadow study](#). Examining the study, it appears that during the winter season, shadows cast will extend beyond the adjacent two single-family properties onto the homes to the north as well. For the majority of the year however, the study shows shadows do not extend further than roughly a third of the way across the two adjacent properties. No information is provided comparing the difference in shadows in a permitted three story building versus the proposed four story development.

Staff also note that the proposal satisfies the side yard height transition to the residential district to the north, in this case the parcels located at 321 Glenway Street and 320 Waverly Place which are both zoned Traditional Residential – Consistent 2 (TR-C2) District and contain one- to one-and-a-half-story single-family residences. As MGO §28.064(3)(d) reads, “Where the NMX District abuts a residential district at the rear or side lot line, building height at the rear setback line (in this case, 6 feet) shall not exceed two (2) stories/twenty-five (25) feet. From this point, building height may increase at a ratio of one foot of rise to one foot of horizontal distance away from the property line, (a 45° angle) up to the maximum allowed height. Transitions exceeding this height and/or ratio limitation require conditional use.” Examining the submitted elevations, both the west elevation as well as the northeast elevation show the building’s compliance along the northern property line (see the transition requirement indicated by the red lines in the images below).



**Image 2 – The Bulk Transition of the Proposed Building as seen on the Northeast Elevation (left) and West Elevation (right)**

## Public Input

At the time of report writing, staff have received numerous comments regarding the proposed request. Some have expressed support, given the need for housing in our city and the current dilapidated condition of the site. Others expressed concern with the negative impact that the proposed height and bulk will have on the single-family residential development to the north. Another common concern expressed was the lack of automobile parking stalls provided on site and the belief that parking demand will spill into the surrounding neighborhood. Another noted concern of the reduction of commercial space and felt the proposal was no longer consistent with the stated purpose of Neighborhood Mixed-Use zoning - “to encourage and sustain the viability of commercial nodes that serve the shopping needs of residents in adjacent neighborhoods.” All comments received have been added to the project’s [Legistar file](#) for the conditional use requests. Lastly, two neighborhood meetings were held regarding this proposal – a virtual meeting was held by Alder Vidaver on January 6, 2022 and an in-person neighborhood meeting was held by Alders Vidaver and Martin on March 10, 2022.

## Conclusion

The applicant requests demolition and conditional use approval to raze the existing service station and construct a four-story, mixed-use building with 816 square-feet of commercial space and 31 apartments.

Staff’s primary concerns relate to the conditional use aspects of this request and plan consistency. As a conditional use, the Plan Commission must give due consideration to the recommendations in adopted plans and make specific findings related to the Conditional Use Standards. As noted in this report, this proposal is consistent with some, but not all recommendations in the adopted plans. Elements that are consistent with adopted plans include the development of a mixed-use building with residential and commercial land uses oriented towards the street

at this location. Elements that are not consistent include the [Hoyt Park Area Joint Neighborhood Plan](#)'s recommendations for a one-to-three story building at this site, maintaining single-family residential scale along adjoining streets and property edges.

While plan inconsistency does not necessarily mean a proposal cannot be found to meet the standards, careful consideration should be given as to how such inconsistencies specifically relate to each of the standards. For this request, standard twelve specifically relates to the conditional use to exceed the height limit and directly references plan consistency. That standard also includes other considerations including impacts on surrounding properties, architectural quality, relationships to rights-of-way, and the public interest in exceeding the height limits. Staff have raised plan consistency concerns related to height since the initial discussions with the development team. In light of the adopted site-specific height recommendations, staff believes that the Plan Commission would need to make specific findings regarding this standard should it find that, on balance, this standard can be met. Should the Commission not be able to find this (or other) standards have not been met, the Zoning Code requires the Commission specify the standards that have not been met and the reasons such standards were not met.

## Recommendation

### Planning Division Recommendation (Contact Chris Wells, (608) 261-9135)

If the Plan Commission finds that all conditional use standards, including standards five and twelve can be found met, then the Planning Division recommends the Commission should approve the requested conditional uses to construct a mixed-use building with over 24 dwelling units and for a building in the NMX District exceeding three stories or 40 feet in height. Such approval shall be subject to the conditions recommended by reviewing agencies in this report. However, if the Plan Commission finds that conditional use standards are not met, the Planning Division recommends that the Commission place the request on file without prejudice and specify the standard(s) that have not been met and the reasons such standards were not met.

Regarding the demolition permit, the Planning Division recommends the Plan Commission refer the request to the April 25, 2022 Plan Commission meeting to allow the Landmarks Commission to review the proposed demolition, as required by 28.185(7), MGO.

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

### Planning Division (Contact Chris Wells, (608) 261-9135)

1. The final approval and sign-office of the conditional use requests shall not occur unless the Plan Commission approves the related demolition request.

### Engineering Division (Main Office) (Contact Tim Troester, (608) 267-1995)

2. Per the WDNR closure letter, this property was closed with residual soil and/or groundwater contamination (BRRS 03-13-556180 STOP N GO STORE). Written approval from the WDNR is required prior to disturbing the existing barrier cap. Submit copy of WDNR approval to Brynn Bemis (608.267.1986, [bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com)).



3. Applicant shall provide projected wastewater flows for the development. Developer may be required to install offsite sanitary sewer improvements as a condition for development.
  4. Drainage from adjacent upstream properties to the N currently drains onto and through the site. Additional detail shall be provided on how this drainage pattern shall be accommodated post construction.
5. 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)
  6. Construct sidewalk, terrace, curb & gutter and pavement to a plan as approved by City Engineer.
  7. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
  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 (DPS) is required as the City of Madison Building Inspection Department is an approved agent for DPS.
  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. Revise the plans to identify the location of the public storm sewer (proposed or existing) that will serve the development show the connection of the private internal drainage system to the public storm sewer. (POLICY AND MGO OVER 10,000 SF OF IMPERVIOUS AREA 10.29 and 37.05(7)(b))

15. 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 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.

16. 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: Reduce the peak discharge from the site by 15% compared to existing conditions during the 10-year storm events.

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

Volume Control: Reduce total volumetric discharge from the site by 5% compared to existing conditions during a 10-year storm event.

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.

17. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
18. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West).

**City Engineering – Mapping** (Contact Jeffrey Quamme, (608) 266-4097)

19. Any additional right of way dedication that may be required along Speedway to increase the terrace width by Traffic Engineering or Engineering shall be accomplished by the required Certified Survey Map.
20. 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.

21. Move the roof drain connection to the private storm entirely into the lot and outside of the public right of way of Speedway.
22. The address of 3734 Speedway Rd will be retired with the demolition of the existing building. The proposed apartment will have an address of 3722 Speedway Rd. The commercial tenant will use 3720 Speedway Rd. 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.
23. Submit a site plan and complete building Floor Plan in PDF format to Lori Zenchenko ([lzenchenko@cityofmadison.com](mailto: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.

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 Addressing Plan shall be included in said application.

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. For any changes, the final approved Addressing Plan shall be submitted by the applicant to Zoning to be attached to the final set of filed site plans.

**Traffic Engineering** (Contact Sean Malloy, (608) 266-5987)

24. 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.

25. 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.
26. 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.
27. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
28. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
29. 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.
30. 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.
31. 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.
32. The applicant shall provide a clearly defined 5' walkway from the front door to the public Right of Way 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.
33. All parking ramps as the approach the public Right-of-Way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the Right-of-Way. If applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.
34. 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 DeAndre Newson, (266-4768, [dnewson2@cityofmadison.com](mailto:dnewson2@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.

35. 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.
36. "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.
37. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
38. 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))
39. 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.
40. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
41. 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 Speedway 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.
42. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along Speedway Road.

**Zoning Administrator** (Contact Jenny Kirchgatter, (608) 266-4429)

43. Provide details showing that the primary street façade meets the door and window opening requirements of Section 28.060(2)(d). For nonresidential uses at ground floor level including the parking garage and trash room, windows and doors or other openings shall comprise at least sixty percent (60%) of the length and at least forty percent (40%) of the area of the ground floor of the primary street facade. At least fifty percent (50%) of windows on the primary street facade shall have the lower sill within three (3) feet of grade. For residential uses at ground level, a minimum of fifteen percent (15%) of the ground level of residential facades or side and rear facades not fronting a public street shall consist of windows and door openings. On upper stories, window or balcony openings shall occupy a minimum of fifteen percent (15%) of the upper-story wall area.
44. Section 28.185(9) requires that every applicant for a demolition or removal approval that requires approval by the Plan Commission is required to get a Reuse and Recycling Plan approved by the City Recycling Coordinator, Bryan Johnson at [streets@cityofmadison.com](mailto:streets@cityofmadison.com) prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.

45. A vehicle parking reduction will be required per Section 28.141(5). A minimum of 33 vehicle parking stalls are required. 26 stalls are provided. Submit a request for a parking reduction with the final plan submittal including information to support the argument for reducing the required number of spaces. When the commercial tenant space is leased, the entire development must reflect compliance in the required number of vehicle parking spaces, to be reviewed prior to obtaining zoning approval for the future tenant space use. Future parking reductions may be required prior to obtaining zoning approval for future tenant uses.
46. Bicycle parking for the commercial tenant space shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11) and will be reviewed prior to obtaining zoning approval for the use.
47. Provide photos of the existing screening fence adjacent the north property line. Screening shall be provided along side and rear property boundaries between commercial/ mixed-use districts and residential districts. Screening shall consist of a solid wall, solid fence, or hedge with year-round foliage, between six (6) and eight (8) feet in height.
48. Submit a rooftop plan showing the location of any proposed rooftop mechanical equipment and screening. Provide a detail or profile demonstrating that rooftop mechanical equipment will not be visible to view above the height of the parapets. All rooftop equipment shall be screened from view from adjacent streets and public rights-of-way per Sections 28.060(2)(f) and 28.142(9)(d). Screens shall be of durable, permanent materials that are compatible with the primary building materials.
49. 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. Identify which glass areas are 50 sq. ft. or greater and which glass areas will be treated. Provide a detail of the specific treatment that will be used.
50. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
51. 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.

**Madison Fire Department** (Contact Bill Sullivan, (608) 261-9658)

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

**Parks Division** (Contact Ann Freiwald, (608) 243-2848)

52. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the Central Park-Infrastructure Impact Fee district. Please reference ID# 22005 when contacting Parks about this project.

**Forestry Division** (Contact Bradley Hofmann, (608) 267-4908)

53. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan (in PDF format) shall be submitted City Forestry for approval of planting locations and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note to plan: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.

**Water Utility** (Contact Jeff Belshaw, (608) 261-9835)

54. Update site utility plan to indicate size and material of proposed water service.

55. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

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

**Metro Transit** (Contact Timothy Sobota, (608) 261-4289)

57. Metro Transit currently operates daily all-day transit service along Speedway Road adjacent this property - with trips at least every 30 minutes. The Transit Network Redesign Draft Plan that was identified by the Transportation Policy and Planning Board on January 31st, 2022 for public comment proposed reduced service along Speedway Road in the Mineral Point Road and Glenway Street intersection area, with trips only to operate on weekdays during peak periods. The closest intersections with daily, all-day bus service would be on Regent Street at Speedway Road, Midvale Boulevard at Mineral Point Road, or Monroe Street at Glenway Street.