PLANNING DIVISION STAFF REPORT

August 28, 2023

Project Addresses:	**232 N Park Street, 209 Bernard Court, 911 & 923 Clymer Place, 207 N Brooks Street, and 908 W Dayton Street**
Application Type:	Demolition Permit, Zoning Map Amendment, and CI Zoning District Master Plan Amendment
Legistar File ID #	78199, 79460, 78874, 78912, and 78913
Prepared By:	Timothy M. Parks, Planning Division Report includes comments from other City agencies, as noted

Summary

Applicant: Aaron Williams, University of Wisconsin-Madison; 21 N Park Street, #6101; Madison.

Contact Person: Tenney Place Development, LLC; 639 S Main Street, Suite 103; DeForest.

Property Owner: The Board of Regents of the University of Wisconsin System; 1220 Linden Drive; Madison.

Requested Actions:

- ID 78199 – Consideration of a demolition permit to demolish two residential buildings at 209 Bernard Court and 911 Clymer Place;
- ID 79460 – Consideration of a demolition permit to demolish two-family residence at 923 Clymer Place;
- ID 78874 – Amending Section 28.022-00289 of the Madison General Ordinances to amend the Campus–Institutional (CI) District Master Plan for the University of Wisconsin-Madison Campus for the portion of the campus generally addressed as 232 N Park Street and 915-935 W Johnson Street, to include specific plans for the proposed Levy Hall Academic Building;
- ID 78912 – Consideration of a request to rezone 923 Clymer Place and 207 N Brooks Street from TR-U2 (Traditional Residential–Urban 2 District) to CI (Campus–Institutional District); and
- ID 78913 – Consideration of a request to rezone 209 Bernard Court, 911 Clymer Place, and 908 W Dayton Street from TR-U2 to CI.

Proposal Summary: The University of Wisconsin-Madison is requesting five related approvals for the properties located in the block bounded by W Johnson Street on the north, N Park Street on the east, W Dayton Street on the south, and N Brooks Street on the west. The requests include approval to demolish two residential buildings located on the south side of Clymer Place and one on the east side of Bernard Court on the southern half of the block, and to rezone those three parcels as well as two others owned by the University into the CI district consistent with how its holdings elsewhere in the block are zoned.

Finally, the University is request a major alteration to the approved CI District Master Plan for the University of Wisconsin-Madison Campus to include specific plans for the construction of "Irving and Dorothy Levy Hall" academic building, which will be located along the W Johnson Street frontage. The academic building is proposed as a six-story, approximately 150,000 square-foot facility for the College of Letters and Science.

The application materials indicates that demolition will commence this November, with completion of Levy Hall anticipated in May 2026.

Applicable Regulations & Standards: Section 28.182 of the Zoning Code provides the process for zoning map amendments. The purpose, uses, master plan process, and uses in the CI (Campus–Institutional District) are outlined in Section 28.097 of the Zoning Code. Section 28.185 provides the process and standards for the approval of demolition and removal permits.

Review Required By: Plan Commission and Common Council.

Summary Recommendation: The Planning Division recommends that the Plan Commission find the applicable standards are met and recommend the following, all subject to input at the public hearing and the conditions from reviewing agencies beginning on page 7:

- That the Plan Commission that the standards for demolition permits are met to **approve** demolition of three residential buildings located at 911 Clymer Place, 923 Clymer Place, and 209 Bernard Court;
- That the Plan Commission forward Zoning Map Amendment ID 28.022–00639, rezoning 923 Clymer Place and 207 N Brooks Street from TR-U2 to CI, to the Common Council with a recommendation of **approval**;
- That the Plan Commission forward Zoning Map Amendment ID 28.022–00640, rezoning 209 Bernard Court, 911 Clymer Place, and 908 W Dayton Street from TR-U2 to CI, to the Common Council with a recommendation of **approval**; and
- That the Plan Commission find the standards met and forward the amendment to the Campus-Institutional (CI) District Master Plan for the University of Wisconsin-Madison Campus for the portion of the campus generally addressed as 232 N Park Street and 915-935 W Johnson Street to include specific plans for the proposed Levy Hall Academic Building to the Common Council with a recommendation of **approval**.

Background Information

Parcel Location: The subject parcels are located in the block bounded by W Johnson Street on the north, N Park Street on the east, W Dayton Street on the south, and N Brooks Street on the west and on both sides of Clymer Place, which bisects the block east-west; Alder District 8 (Govindarajan); Madison Metropolitan School District.

Existing Conditions and Land Use: The subject parcels include (counterclockwise from the corner of N Park and W Johnson Streets):

- 915 W Johnson Street: Four-story Zoe Bayliss Co-Op, zoned CI;
- 917 W Johnson Street: Four-story Davis Residence Hall, zoned CI;
- 925 W Johnson Street/930 Clymer Place: University Lot 61, which contains 28 auto stalls accessed from Clymer Place, zoned CI;
- 935 W Johnson Street: Two-story single-family residence and a detached garage, zoned CI;
- 207 N Brooks Street: Two-story single-family residence, zoned TR-U2 (Traditional Residential–Urban 2 District)
- 923 Clymer Place: Two-story, two-family residence, zoned TR-U2;
- 209 Bernard Court: Two-story, three-family residence, zoned TR-U2;

- 911 Clymer Place: Three-story, three-family residence, zoned TR-U2; and
- 908 W Dayton Street: Three-story, four-unit apartment building, zoned TR-U2.

Surrounding Land Uses and Zoning:

North: Grainger Hall across W Johnson Street, zoned CI (Campus–Institutional District);

South: Across W Dayton Street,Merit Residence Hall zoned CI; Dayton House Apartments, zoned PD;

West: Across N Brooks Street, Educational Sciences Building and UW Lot 92, zoned CI; five-story apartment building, zoned PD; and

East: Sellery Residence Hall across N Park Street, zoned CI.

Adopted Land Use Plans: The 2018 Comprehensive Plan includes the subject site and surrounding properties in the Special Institutional district.

The 2008 Regent Street–South Campus Neighborhood Plan includes the subject sites and the larger block bounded by W Johnson Street, N Park Street, W Dayton Street, and N Brooks Street in the "Academic/Research" Campus District (for university-related academic classrooms, offices, and research), with up to 12-story future buildings possible on the block.

Zoning Summary: The subject parcels will be zoned CI (Campus–Institutional District). The specific bulk and area requirements for the site will be governed by the amended CI zoning district master plan for the larger campus.

Environmental Corridor Status: The property is not located in a mapped environmental corridor.

Public Utilities and Services: The site is served by a full range of urban services, including Metro Transit, which operates daily service along W Johnson Street, N Park Street, University Avenue, N Brooks Street and W Dayton Street near the site, with trips on most routes at least every 30 minutes. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 503 Weekday and 224 Weekend (average). Please contact Metro Transit if additional analysis would be of interest.

Previous Approvals

On May 21, 2012, the Plan Commission approved requests by the University of Wisconsin–Madison for a demolition permit to raze two residential buildings at 925-933 W Johnson Street and a conditional use in R5 (General Residence District) zoning [1966 Zoning Code] for a non-accessory parking lot (930 Clymer Place).

On July 18, 2017, the Common Council adopted Substitute Ordinance 17-00074 (ID 47245), adopting a Master Plan for the portions of the University of Wisconsin–Madison campus zoned in the Campus-Institutional (CI) District. Following final approval of the plan document by City staff, the CI zoning district master plan for the campus took effect on January 1, 2019 and will remain in effect until January 1, 2029 consistent with the ten-year master plan approval period stipulated in Section 28.097 of the Zoning Code. This master plan is hereinafter referred to as the "2017/2019 CI zoning master plan" for the year of Common Council approval and the year the plan took effect. A link to that plan may be found here.

On May 11, 2020, the Plan Commission found the standards met and approved the demolition permit for 935 W Johnson Street. On May 19, 2020, the Common Council approved a request to rezone 935 W Johnson Street from TR-U2 (Traditional Residential–Urban 2 District) to CI (Campus–Institutional District) and an amendment to the University of Wisconsin–Madison campus master plan to include that parcel.

Project Description, Analysis & Conclusion

The University of Wisconsin-Madison is requesting five related approvals for University-owned properties located in the block bounded by W Johnson Street on the north, N Park Street on the east, W Dayton Street on the south, and N Brooks Street on the west. The block is bisected by Clymer Place, a one-way westbound alley located in a 16.5-foot right of way.

Demolition Permits

Two demolition permit requests are pending before the Plan Commission. The first request includes two adjacent residential buildings located at 209 Bernard Court and 911 Clymer Place in the southeastern quadrant of the block. The building at 911 Clymer is a three-story three-family residence constructed in 1904 according to City records, which sits on an approximately 2,540 square-foot parcel separated from N Park Street by a vacant University-owned parcel at 904 W Dayton Street. The residence at 209 Bernard Court is located at the southeastern corner of Clymer and Bernard adjacent to the northwestern corner of the 911 Clymer parcel. 209 Bernard is a two-story, three-family residence constructed in 1904 according to City records, which is located on a 2,800 square-foot parcel. The second demolition permit request seeks approval to raze the two-story, two-family residence located at 923 Clymer Place, located on the portion of the alley between Bernard Court and N Brooks Street. Records indicate that this building was constructed in 1884.

The three demolitions are being presented as two separate requests because the three buildings and parcels are not adjacent to one another, with another University-owned building at 210 Bernard Court and the Bernard Court right of way separating them. Photos of the interiors and exteriors of the buildings are included in the materials attached to the respective legislative file.

In order to approve a demolition request, 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 for demolition approval 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 demolition of the three residential buildings was reviewed at the May 1, 2023 Landmarks Commission. The Landmarks Commission voted to recommend to the Plan Commission that the three residences have no known historic value, though the Commission noted that the growing loss of student housing near the University of Wisconsin-Madison campus has the potential to impact the vernacular context of Madison’s built environment.

The Planning Division has no information otherwise to suggest that the proposed demolitions would not meet the standards of approval in Section 28.185(9)(c) and recommends that the demolitions be approved. In approving a demolition permit, the Plan Commission may stipulate conditions and restrictions on the proposed building demolition as deemed necessary to promote the public health, safety and general welfare of the community, and

to secure compliance with the standards of approval. The proposed conditions for related to these demolitions may be found in the 'Recommendation' section of the report.

Zoning Map Amendments

The University is also requesting to rezone 911 and 923 Clymer Place and 207 N Brooks Street, 209 Bernard Court, and 908 W Dayton Street from TR-U2 to CI. All five parcels have been acquired by the University since the original zoning of most of the campus to the CI district with the rezoning of the entire City to reflect the districts in the 2013 Zoning Code and the approval of the CI District Master Plan for the University of Wisconsin-Madison Campus in 2017. The rezoning of the five parcels follows similar requests to rezone parcels in the subject block at 206 Bernard and 935 W Johnson Street to CI in 2017 and 2020, respectively. In both prior cases, the parcels were previously zoned TR-U2 to reflect their status as privately-owned residential buildings and were rezoned to CI after the University acquired them.

In order to approve the zoning map amendment, the Common Council shall find that the zoning map amendment is *consistent with* the City's Comprehensive Plan as required by Section 66.1001(3) of Wisconsin Statutes. "Consistent with" is defined as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan." The Planning Division believes that the request to rezone the five parcels to the CI zoning district is consistent with the Special Institutional land uses recommended for the site and surrounding blocks in the 2018 Comprehensive Plan as well as the recommendations in the 2008 Regent Street–South Campus Neighborhood Plan, which call for a campus academic/research building(s) to be developed on the block bounded by W Johnson, N Park, W Dayton, and N Brooks streets. Per the neighborhood plan, new buildings on the block could be as tall as 12 stories.

Amended CI District Master Plan

Finally, the University is requesting a major alteration to the approved CI District Master Plan for the University of Wisconsin-Madison Campus to include specific plans for the construction of "Irving and Dorothy Levy Hall" academic building, which will be located along the W Johnson Street frontage on the northern half of the block. The academic building is proposed as a six-story, approximately 150,000 square-foot facility for the College of Letters and Science. The zoning master plan amendment is required because the master plan approved in 2017 did not include specific details for a future building or buildings on this block due to portions of the development site not being controlled by the University at the time the plan was approved by the City. Detailed civil and architectural plans for the proposed building are attached to the legislative file for the amendment, ID 78874, and data for the building may be found in the letter of intent.

Levy Hall will replace three buildings currently located along the south side of W Johnson Street, which were previously approved for demolition. The four-story Zoe Bayliss Co-Op at 915 and Davis Residence Hall at 917 are identified in the approved 2017 CI zoning master plan for demolition (pages 174 and 175), while the Plan Commission approved demolition of the single-family residence at 935 W Johnson Street in 2020 at the time that parcel was zoned CI and incorporated into the campus master plan. Two University parking lots, 61 and 112, will also be removed to accommodate the proposed academic building.

The requirements for campus master plans are outlined in Section 28.097(5). CI zoning district master plans are adopted as part of the Zoning Code following the process for zoning map amendments in Sections 28.182. Per Section 28.097(10) of the Zoning Code for the CI district, no alteration of an approved campus master plan shall be permitted unless approved by the Plan Commission, provided however, the Zoning Administrator may,

following consideration by the alderperson of the district, issue permits for minor alterations that are approved by the Director of Planning and Community and Economic Development and are consistent with the concept approved by the Common Council. If the change or addition constitutes a substantial alteration of the original plan, the procedure in Sec. 28.097(6) is required.

In this case, because no project was identified for the subject site in the 2017 zoning master plan (pages 176-177), a full amendment to the master plan is required. Approval of master plans and major amendments to master plans such as the one required for Levy Hall shall be based on how the plan meets the intent of the CI district, whether the plan serves the public interest as well as the interest of the institution developing the plan, and shall be consistent with the goals of the Comprehensive Plan and adopted neighborhood, corridor or special area plans adjacent to campus boundaries.

The statement of purpose for the CI District states that the district "is established to recognize the City's major educational and medical institutions as important activity centers and traffic generators, accommodate the growth and development needs of these institutions, and coordinate the master plans of these institutions with the City's plans, policies and zoning standards." The district is also intended to "permit appropriate institutional growth within boundaries while minimizing the adverse impacts associated with development and geographic expansion;" "balance the ability of major institutions to change and the public benefits derived from change with the need to protect the livability and vitality of adjacent neighborhoods;" and "encourage the preparation of Campus Master Plans that enable adjacent neighborhoods and the broader community to understand the levels of development being proposed, their likely impacts, and appropriate mitigation measures."

The Planning Division believes that the amendment to the CI District Master Plan for the University of Wisconsin-Madison Campus to allow construction of Levy Hall meets the standards for approval and is consistent with the intent of the CI district and City-adopted plans for the site. As noted above, the block where Levy Hall is proposed is recommended for Special Institutional use in the Comprehensive Plan, while the Regent Street–South Campus Neighborhood Plan calls for a campus academic/research building(s) up to 12 stories to be developed on the block.

Additionally, the ordinance to amend the campus master plan (ID 78874) was referred to the Joint Campus Area Committee (JCAC) for a recommendation prior to Plan Commission consideration. At its July 27, 2023 meeting, the JCAC recommended approval of the master plan amendment to allow construction of the Levy Hall project.

Per Section 28.097(7), all buildings properly identified on a campus master plan must be reviewed and approved by an architectural review committee prior to construction, including proposed Levy Hall if approved. Prior to presenting final building design to the architectural review committee, the University is required by Section 28.097(8) to present the final building design plans to JCAC after giving notice of the joint meeting by first class mail to the owners of record and occupants of multi-tenant buildings within 200 feet of the boundaries of the properties affected.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, (608) 261-9632)

The Planning Division recommends that the Plan Commission find the applicable standards are met and recommend the following, all subject to input at the public hearing and the conditions from reviewing agencies that follow:

- That the Plan Commission that the standards for demolition permits are met to **approve** demolition of three residential buildings located at 911 Clymer Place, 923 Clymer Place, and 209 Bernard Court;
- That the Plan Commission forward Zoning Map Amendment ID 28.022–00639, rezoning 923 Clymer Place and 207 N Brooks Street from TR-U2 to CI, to the Common Council with a recommendation of **approval**;
- That the Plan Commission forward Zoning Map Amendment ID 28.022–00640, rezoning 209 Bernard Court, 911 Clymer Place, and 908 W Dayton Street from TR-U2 to CI, to the Common Council with a recommendation of **approval**; and
- That the Plan Commission find the standards met and forward the amendment to the Campus-Institutional (CI) District Master Plan for the University of Wisconsin-Madison Campus for the portion of the campus generally addressed as 232 N Park Street and 915-935 W Johnson Street to include specific plans for the proposed Levy Hall Academic Building to the Common Council with a recommendation of **approval**.

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

Planning Division

1. Submit PDFs of the relevant master plan pages for the Levy Hall project and additional CI-zoned parcels to Planning and Zoning staff for inclusion in the Campus–Institutional (CI) District Master Plan for the University of Wisconsin-Madison Campus, including data on the bulk and area of the proposed building not accounted for in the approved campus master plan.

City Engineering Division (Contact Tim Troester, (608) 267-1995)

2. The applicant shall connect to or extend public storm sewer connecting directly to a public storm structure that is either in the public sidewalk or terrace area, or inlet at the curb on the side of the street, adjacent to the development. Any storm lateral extension crossing any lanes of traffic or running longitudinally within a public street right of way for over 20 feet, in order to connect to the public system, shall be considered a private storm sewer lateral and will require an approved and recorded privilege in streets agreement.

3. Obtain a permit to excavate in the right of way for completing the improvements in the public right of way. The permit application is available on the City Engineering Division website. As a condition of the permit, a deposit to cover estimated City expenses will be required.

4. Construct sidewalk, terrace, curb and gutter, and pavement according to a plan as approved by City Engineer.

5. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder ((608) 261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.

6. Obtain a Privilege In Streets Agreement for any encroachments inside the public right of way.

7. 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.

8. An Erosion Control Permit is required for this project.

9. A Storm Water Management Report and Storm Water Management Permit is required for this project.

10. A Storm Water Maintenance Agreement (SWMA) is required for this project.

11. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151; however, a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue its permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at (608) 273-5612 of the WDNR to discuss this requirement. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or the Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.

12. 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.

13. This project will disturb 20,000 square feet or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.

14. Demonstrate compliance with MGO Sections 37.07 and 37.08 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.

15. 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.

16. 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.

17. Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by MGO Chapter 37.

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 Storm Water Management Plan & Report shall include compliance with the following:

Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

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.

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 half-inch of rainfall over the total site impervious area. If additional stormwater controls are necessary beyond the first half-inch of rainfall, either green or non-green infrastructure may be used.

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

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any best management practices (BMP) used to meet stormwater management requirements on this project.

19. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

City Engineering Division – Mapping Section (Contact Julius Smith, (608) 264-9276)

20. Sidewalk easements may be necessary along Clymer Place to accommodate turning and drop-off movements requested in prior meetings. Work with City Engineering and Traffic Engineering staff on street section on movement plan in Clymer and contact Engineering Mapping if easements for a moved section of public walk are needed.

21. The proposed new building crosses an underlying platted lot line. Prepare a Certified Survey Map (CSM) and for approval by the City 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.

22. Grant a public sidewalk to the City on the face of the prior submitted CSM along W Johnson Street.

23. Release the six-foot wide Right-of-way Grant Underground Electric to Madison Gas and Electric per Document No. 2311525 for at least the portion the building will occupy.

24. The site plan indicates planters encroaching into the W Johnson Street right of way. The applicant shall confirm and note on the plans all encroachments, including, (but not limited to) balconies, roof overhangs and underground vaults. Make an application with City of Madison Office of Real Estate Services for a privilege in

streets agreement. An approval of the development does not constitute or guarantee approval of any encroachments within a public right of way.

25. 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 final plat.

26. The developer/contractor/owner responsible for permission easements and/or agreements necessary to accomplished work shown outside of parcel limits, on 213 and 219 N Brooks Street.

27. Identify on the plans the lot and block numbers of recorded Certified Survey Map or plat.

28. Provide a full and complete legal description of the site or properties being subjected to this application on the site plan.

29. On Sheet G005, under the text of Levy Hall, correct the spelling of 'University.'

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

30. The applicant shall work with the Traffic Engineering and City Engineering Divisions on the final configuration of Clymer Place. The applicant shall provide turning movement diagrams for Traffic Engineering approval showing operations on Clymer Place.

31. The applicant shall submit for review a waste removal plan, which shall include vehicular turning movements..

32. The 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.

33. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawing 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.

34. 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.

35. 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.

36. All parking facility design shall conform to the standards in MGO Section 10.08(6).

37. All bicycle parking adjacent pedestrian walkways shall have a two (2)-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

38. The applicant shall not utilize public row to satisfy code requirement unless approved by the City Traffic Engineer

39. The applicant shall adhere to all vision triangle requirements as set in MGO Section 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 Section 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.

40. 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, ((608) 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.

41. Items in the right of way are not approvable through the site plan approval process. Make a note on all pages showing improvements in the right of way that states: The right of way is the sole jurisdiction of the City of Madison and is subject to change at any time per the recommendation/plan of Traffic Engineering and City Engineering Divisions.

42. The applicant shall provide a clearly defined five-foot 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 wheelchair 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.

43. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.

44. 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 W Johnson Street 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.

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

This agency did not submit comments for this request.

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

45. Access to the public fire hydrant at the corner of Clymer Place and Bernard Court shall be maintained at all times.

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

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

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

46. A private well may have served this parcel prior to the municipal water service connection. Any remaining unused/unpermitted private wells existing on this parcel must be properly abandoned according to Wisconsin Administrative Code NR-812 and MGO Section 13.21 prior to the demolition of the property. Please contact Water Utility staff at (608) 266-4654 to schedule an on-site private well survey prior to demolition, otherwise for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs. 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.

47. 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 Avenue. 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 and 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.

Forestry Section (Contact Bradley Hofmann, (608) 267-4908)

48. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apparatus and street tree plan sets. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.

49. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the street tree plan set.

50. City Forestry will issue a street tree removal permit for six trees: 2-inch oak and 2-inch elm within west side N Park Street terrace and 4-inch, 5-inch, and 5-inch crabapples, and 14-inch elm within center median of N Park

Street tree due to underground utility installation. The contractor shall contact City Forestry at (608)266-4816 to obtain permit. Add as a note on both the demolition and landscape plan set.

51. The contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at (608) 266-4816. Penalties and remediation shall be required. Add as a note on the site, grading, utility, demolition, and street tree plan set.

52. As defined by the Section 107.13 of *City of Madison Standard Specifications for Public Works Construction*: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry at (608) 266-4816 prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing.

53. Section 107.13(g) of *City of Madison Standard Specifications for Public Works Construction* addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on both the site and street tree plan sets.

54. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on both the site and street tree plan sets.

55. Street tree pruning shall be coordinated with City Forestry at a minimum of two weeks prior to the start of construction for this project. Contact City Forestry at (608)266-4816. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on both the site and street plan sets.

56. 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 and street tree planting plan shall be submitted in PDF format to City Forestry for approval of planting locations within the right of way and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note on both the landscape and street tree plan sets: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.

57. No later than five business days prior to forming concrete and constructing tree grate sites, the contractor shall contact City Forestry at (608) 266-4816 to identify and locate underground conflicts (utilities, vaults, conduit) or other underground obstructions and determine grate locations. The contractor will be required

to obtain the grate, matching frame and/or tree guard. Tree grate type and matching frame: Neenah 4x8 (R-8815-A). Tree guard Neenah (R-8501-4818). Add as a note on both the landscape and street tree plan set.

Metro Transit (Contact Tim Sobota, (608) 261-4289)

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