Department of Planning & Community & Economic Development
Planning Division
Meagan E. Tuttle, Director
Madison Municipal Building, Suite 017
215 Martin Luther King, Jr. Blvd.
P.O. Box 2985
Madison, WI 53701-2985
Phone: (608) 266-4635
planning@cityofmadison.com

****BY E-MAIL ONLY****

December 16, 2025

Kevin Burow
Knothe & Bruce Architects
8401 Greenway Boulevard, Suite 900
Middleton, Wisconsin 53562

RE: Consideration of a request to rezone 501 N Whitney Way from Neighborhood-Mixed-Use District) to TSS (Traditional Shopping Street District), and; consideration of a conditional use in the [Proposed] Traditional Shopping Street (TSS) District and Transit-Oriented Development (TOD) Overlay District for a multi-family dwelling with greater than 36 units; and consideration of a conditional use in the TSS District for a building taller than four stories and 60 feet in the TOD zoning overlay, all to allow construction of a five-story, 42-unit multi-family dwelling (Adam Coyle, Eight & Eight Partnership) (ID 90539 and 90391; LNDUSE-2025-00079).

Dear Kevin,

On December 9, 2025, the Common Council **approved** your request to rezone the site from NMX to TSS. On December 1, the Plan Commission recommended approval of the rezoning and found the standards met and **approved** your conditional use requests subject to conditions. The conditions of approval in the following sections shall be satisfied prior to issuance of building permits for the project.

Please contact Kathleen Kane of the City Engineering Division at (608) 266-4098 if you have questions regarding the following fifteen (15) items:

1. This site accepts stormwater from other private property to the east, which shall be maintained.

2. The developer shall enter into a City / Developer agreement for the required infrastructure improvements. The agreement shall be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Please contact the City Engineering Division to schedule the development and approval of the plans and the agreement.

3. Reconstruct sidewalk, terrace, curb, gutter, and pavement along N Whitney Way and Sheboygan Avenue to a plan approved by City Engineer.

4. 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.

5. Provide the City Engineer with the proposed earth retention system plan. The earth retention system plan must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system

6. 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.

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

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

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

10. This site appears to disturb less than one (1) acre of land. No submittal to the Wisconsin Department of Natural Resources (WDNR), Capital Area Regional Planning Commission (CARPC), or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Division is an approved agent for DSPS.

11. 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.

12. This project will disturb 4,000 square feet or more of land area and requires an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.

13. 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.

14. 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.

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

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

15. 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).

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at (608) 266-4097 if you have any questions regarding the following six (6) items:

16. The six-foot wide underground telephone easement per Document No. 998794 shall be released to remove conflict with the proposed building.

17. Although not in conflict with the proposed building, it is advised that the 10-foot wide utility easement within this site be released to clear title for the site. Coordinate the City of Madison release with Jeff Quamme to set up the required Real Estate project. The releases by the other utilities serving the area would be the responsibility of the applicant/ owner/ developer.

18. The encroaching retaining wall per the easement agreement per Document No. 6002699 is being removed and a new retaining wall is being constructed within this property satisfying the terms of the consent to encroachment.

19. The address of the proposed multi-family dwelling is 5044 Sheboygan Avenue. 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.

20. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds, the new parcel data created by the Assessor's Office, and the parcel data available to Zoning and Building Inspection staff prior to issuance of building permits for new construction or an early start permit.

21. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate

sheet/page for the development of a complete interior addressing plan. Also, include a unit matrix for multi-family dwellings indicating the number of apartments on each floor. 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 Site Plan Verification application materials. Per Section 34.505 MGO, a full copy of the approved addressing plan shall be kept at the building site at all times during construction until final inspection by the Madison Fire Department. For any changes pertaining to the location, deletion, or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved.

Please contact William Putnam of the Traffic Engineering Division at (608) 266-6528 if you have questions regarding the following sixteen (16) items:

22. The Traffic Engineering Division recommends a 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.

23. The parking facility shall be modified to provide for adequate internal circulation for vehicles. This can be accommodated by eliminating a parking stall at the dead-ends. The eliminated stall shall be modified to provide a turnaround area ten (10) to twelve (12) feet in width and signed as No Parking Anytime."

24. The applicant shall submit for review a waste removal plan for approval by the City Traffic Engineer, which shall include vehicular turning movements.

25. 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.

26. 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.

27. 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.

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

29. The applicant shall show the dimensions for the proposed Class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.

30. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan. The terrace shall be restored and seeded with grass.

31. The applicant shall provide a clearly defined five-foot walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.

32. 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 Division office with final plans for sign-off.

33. 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.

34. Note: The applicant is encouraged to provide 120-volt power at bike parking stalls for residents' e-bikes.

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

36. 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 the 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.

37. "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.

Please contact Trent W. Schultz of the Parking Division at (608) 246-5806 if you have questions regarding the following item:

38. The applicant shall submit a Transportation Demand Management (TDM) Plan to tdm@cityofmadison.com. The TDM Plan is required per MGO Section 16.03. Applicable fees will be assessed after the TDM Plan is reviewed by staff.

Please contact Jacob Moskowitz, Assistant Zoning Administrator, at (608) 266-4560 if you have questions regarding the following three (3) items:

39. Provide electric vehicle ready stalls per Section 28.141(8)(e) Electric Vehicle Charging Station Requirements. A minimum of 10% of the parking stalls (5) must be electric vehicle ready. Identify the locations of the electric vehicle ready stalls on the plans.

40. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than 10,000 square feet in size must be prepared by a registered landscape architect.

41. Provide details demonstrating compliance with the bird-safe glass requirements in Section 28.129. For building façades where the first 60 feet from grade are comprised of greater than or equal to 50% glass, at least 85% of the glass must be treated. Of all glass areas over 50 square feet, any glass within 15 feet of a building corner must be treated. Identify which glass areas are 50 square feet or greater and which glass areas will be treated. Provide a detail of the specific treatment product that will be used.

Please contact Matt Hamilton of the Madison Fire Department at (608) 266-4457 if you have questions regarding the following item:

42. Based on the proposed building layout, the Fire Department would anticipate that the address would be off of Sheboygan Avenue not N Whitney Way.

Please contact Izzy Wilde of the Parks Division at (608) 261-9671 if you have questions regarding the following item:

43. 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 West Park-Infrastructure Impact Fee district. The Park Impact Fee ID# for this project is 25079.

Please contact Jeff Belshaw of the Madison Water Utility at (608) 261-9835 if you have questions regarding the following two (2) items:

44. 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 & 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.

45. 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.

Please contact Bradley Hofmann of the Forestry Section at (608) 267-4908 if you have questions regarding the following four (4) items:

46. 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.

47. 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 whose 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.

48. City Forestry will issue a street tree removal permit for two two-inch diameter trees at City Forestry's request due to small size and replacements will be spaced at improved spacing along Sheboygan Avenue. The contractor shall contact City Forestry at (608)266-4816 to obtain permit. Add as a note on both the demolition and street tree plan set.

49. 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.

Please contact my office at (608) 261-9632 if you have questions regarding the following four (4) items:

50. That the applicant work with Planning staff to study other façade treatments along the northern and western walls that would soften the appearance and reduce the massiveness of the building, particularly along N Whitney Way. Solutions may include but are not limited to bringing some of the architectural treatments from the middle three floors down of the building to the first floor level to make that portion of the building appear less imposing.

51. That the applicant work with Planning staff to reduce or modulate the height of the fifth floor facade to improve the proportion of that floor in relation to the floors below.

52. Revise Sheet CA 101 to remove the setback lines; dimension the actual setbacks from the adjacent property lines.

53. Dimension the height of the proposed building on each elevation to the roof cornice above the fifth floor.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

A letter containing the conditions of approval for the related Certified Survey Map for the project will be sent separately.

Please now follow the procedures listed below for obtaining permits for your project:

1. The applicant shall resubmit a PDF copy of the plan set and any other supporting materials that are necessary, as specified in this letter to **sprapplications@cityofmadison.com**. (Note: A 20MB email limit applies and multiple transmittals may be required.). A check for the **site plan review fee** shall be mailed to the City of Madison Building Inspection Division; PO Box 2984; Madison, WI 53701-2984.

2. City Agencies who submitted conditions of approval will review your revised plans to verify that their conditions, along with any applicable requirements, have been satisfied. When the revised plans are submitted, the applicant will be emailed a hyperlink to a website to follow, in real time, which agencies have reviewed the revised documents, and signed off or need additional information.

3. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature block on last page]

4. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the Plan Commission and the conditional use standards. This approval shall become null and void three (3) years after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within six months of the issuance of said building permit. Where the plans have not been altered from the Plan Commission's approval, and the conditional use has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to one (1) year from the expiration date, with the opportunity for a second one-year extension following expiration of the first extension. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at (608) 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at (608) 261-9632 or tparks@cityofmadison.com.

Sincerely,

Timothy M Parks

Timothy M. Parks
Planner

I hereby acknowledge that I understand and will comply with the above conditions of approval for this project.

_____

Signature of Applicant

_____

Signature of Property Owner
(If Not Applicant)

LNDUSE-2025-00079			
For Official Use Only, Re: Final Plan Routing			
☒	Planning Div. (T. Parks)	☒	Engineering Mapping Sec.
☒	Zoning Administrator	☒	Parks Division
☒	City Engineering	☐	Urban Design Commission
☒	Traffic Engineering	☐	Recycling Coor. (R&R Plan)
☒	Fire Department	☐	Other:
☒	Water Utility	☐	Other: