



**Project Address:** 515 Pinney Street (15<sup>th</sup> Aldermanic District – Ald. Ahrens)  
**Application Type:** Conditional Use  
**Legistar File ID #** [53277](#)  
**Prepared By:** Colin Punt, Planning Division  
Report includes comments from other City agencies, as noted.  
**Reviewed By:** Kevin Firchow, AICP, Principal Planner

## Summary

### Applicant

**& Owner:** Carl Ruedebusch; RDC Development, LLC; 4605 Dovetail Dr; Madison, WI 53704

**Contact:** Don Schroeder; Knothe & Bruce Architects, LLC; 7601 University Ave #201; Middleton, WI 53562

**Requested Action:** Approval of two conditional uses for a multi-family building with more than 8 units in the TR-U2 (Traditional Residential-Urban 2) zoning district and a planned multi-use sites containing more than 40,000 square feet of floor area in which 25,000 square feet of floor area is designed or intended for retail use to construct a three-story 88-unit apartment building at 515 Pinney Street.

**Proposal Summary:** The applicant is seeking approval to construct a three-story, 88-unit apartment building and underground parking on a vacant site at 515 Pinney Street. Construction is scheduled to begin in early 2019 with completion in late 2020.

**Applicable Regulations & Standards:** Section 28.183 provides the process and standards for the approval of conditional uses. A multi-family building with more than 8 units is a conditional use in the TR-U2 (Traditional Residential-Urban 2) zoning district per MGO 28.032(1). Planned multi-use sites containing more than 40,000 square feet of floor area and where 25,000 square feet of floor area is designed or intended for retail use require conditional use approval following a recommendation on the design by the Urban Design Commission per MGO 28.137(2)(e).

**Review Required By:** Urban Design Commission and Plan Commission.

**Summary Recommendations:** The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use to construct a three-story 88-unit apartment building at 515 Pinney Street subject to input at the public hearing and the conditions from reviewing agencies in this report.

## Background Information

**Parcel Location:** The subject site is an 80,462 square-foot (1.85-acre) parcel located on the southeast corner of Pinney Street and Royster Oaks Drive. It is within Aldermanic District 15 (Ald. Ahrens) and the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The site is currently vacant. The former Royster-Clark fertilizer plant on this property was razed in 2012. The site is zoned TR-U2 (Traditional Residential-Urban 2 District).

**Surrounding Land Uses and Zoning:**

- North:** Across Pinney Road, vacant lots, zoned TR-C3 (Traditional Residential-Consistent 3 District) and TE (Traditional Employment District);
- West:** Across Royster Oaks Drive, two apartment buildings totaling 71 units, zoned TR-U2 (Traditional Residential – Urban 2 District);
- South:** Vacant lots, zoned TE; and
- East:** Vacant lots, zoned TE.

**Adopted Land Use Plan:** The [Comprehensive Plan](#) (2018) identifies the subject site and the property to the west of Royster Oaks Drive as Medium Residential (MR). The [Royster Clark Special Area Plan](#) (2009) identifies proposes “Medium Density Residential” land uses for this site.

**Zoning Summary:** The subject property is zoned TR-U2 (Traditional Residential-Urban 2 District):

Requirements	Required	Proposed
Lot Area	44,000 sq ft	80,462 sq ft
Lot width	50 ft	260 ft
Usable open space	12,320 sq ft	20,311 sq ft
Lot coverage	80%	71.5%
Front yard	15 ft	18.7 ft
Side yards	10 ft, 12 ft	34 ft, 14.9 ft
Rear yard	20 ft	77 ft
Building height	6 stories/78 ft	3 stories (See Zoning Comment 5)

Site Design	Required	Proposed
Number parking stalls	88	127
Accessible stalls	3	3
Loading	No	No
Number bike parking stalls	97	97
Landscaping	Yes	Yes
Lighting	Yes	Yes

<b>Other Critical Zoning Items</b>	Urban Design, Utility Easements
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*Table prepared by Jacob Moskowitz, Assistant Zoning Administrator*

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

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

**Project History:** The site is currently vacant. On October 3, 2011 the Plan Commission approved a demolition permit for all existing structures of the former 27-acre Royster-Clark fertilizer plant that included this property to be removed to facilitate the future development of the site (ID [24015](#)). The demolition occurred in 2011 and 2012. Significant remediation was required for the nitrogen fertilizer on site from the legacy industrial activity. Contaminated fill brought onto the site in 2013 to prepare the site for redevelopment then required additional remediation before further development could proceed.

At its May 6, 2013 meeting, as part of the approval of the Royster-Clark area Royster Corners Plat, the Plan Commission conditioned the Preliminary and Final Plat approval with a restriction on Lot 3 and Lot 5 (the subject

site) allowing these lots to be zoned TR-U2, but at the maximum density allowed in the TR-U1 zoning district. The Common Council adopted the plat with this condition on May 21, 2013 (Plat: ID [29562](#); Zoning: ID [29643](#)).

A Conditional Use for a similar two-building, three-story, 80-unit apartment project on this site was approved on December 16, 2013 (ID [32435](#)). This project, originally planned for completion in 2015, was never built. Generally speaking, the new proposal connects the two buildings from the previous proposal into a single “U”-shaped building. Though largely similar, the applicant has outlined the differences between the original approval and the current application, which are also summarized in the analysis section below.

## Project Description

The applicant, RDC Development, LLC, is seeking approval to construct a three story, 88-unit apartment building and underground parking on a vacant site at 515 Pinney Street. Construction is scheduled to begin in early 2019 with completion in late 2020.

The unit mix is proposed to include seven efficiencies, 65 one-bedroom units, and 16 two-bedroom units. Many units have exterior private entrances and stoops along Pinney Street, Royster Oaks Drive, and the private Grand Oak Trail. Several units have private entrances to the east-facing courtyard within the “U” of the building. The courtyard also includes amenities, such as grilling space, and additional bicycle parking. The building’s underground parking includes 81 vehicle parking stalls and 80 bicycle parking stalls. Underground parking is accessed via a driveway on the north side of the building off Pinney Street. Additional surface parking is provided to the east of the building and along the private drive to the south, accessed via driveways on Pinney Street and Royster Oaks Drive. Grand Oak Trail, a private street, connects the site to properties to the east and south. A second private drive to the east of the site provides further connections to lands to the east.

Building design is characterized by a palette of materials that includes a cast stone base, brick masonry veneer, horizontal composite siding, vertical corrugated metal siding. Colors as shown in illustrations are typically earth-toned for most materials with a dark red brick. The landscape plan shows plantings around the perimeter of the building along the base, with several trees along perimeter sidewalk and within the courtyard.

The site is currently vacant. Demolition and remediation of the former 27-acre Royster-Clark fertilizer plant on this property occurred in 2011 and 2012.

## Analysis & Conclusion

This request is subject to the standards for conditional uses. This section begins with a summary of adopted plan recommendations, followed by a review of the conditional use approval standards.

### Adopted Plan Recommendations

This site is included in the recommendations of two adopted city plans. The [Comprehensive Plan](#) (2018) identifies the subject site and the property to the west of Royster Oaks Drive as Medium Residential (MR). Within the [Comprehensive Plan](#), medium residential includes a variety of relatively intense housing types, including rowhouses, small multifamily buildings, large multifamily buildings, and courtyard multifamily buildings like the one proposed. Recommended development is generally two to five stories in height with 20 to 90 dwelling units per acre. The [Royster Clark Special Area Plan](#) (2009) recommends “Medium Density Residential” land uses for this site. This plan defines medium density housing as a mix of multi-family building types with a maximum height of three stories and maximum dwelling unit densities of 40 units per acre. The proposal conforms to the land use,

building type, and building mass recommendations of both plans. While the proposed dwelling unit density (47.6 units/acre) is well within the range recommended by the Comprehensive Plan, it is somewhat higher than the recommended density in the Royster Clark Special Area Plan.

### **Conditional Use Standards**

This proposal requires conditional use approvals for a multi-family building greater than eight units in the TR-U2 (Traditional Residential - Urban 2) zoning district per MGO §28.032(1). Additionally, this proposal shares use of its southerly and easterly drives with future development containing more than 40,000 square feet of floor area in which 25,000 square feet of floor area is designed or intended for retail, thus making it part of a planned multi-use site. As this project is considered part of a planned multi-use site per the definition in MGO §28.211, it requires conditional use approval following a recommendation on the design by the Urban Design Commission per MGO §28.137(2)(e). 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 M.G.O. §28.183(6) are met. While staff conclude the conditional use standards can be met, staff have highlighted considerations related to conditional use Standards 4 and 9.

As noted earlier, the Plan Commission and Common Council previously conditioned the approval of the Preliminary and Final Plat with a restriction on Lot 3 and Lot 5 (the subject site) allowing the lots to be zoned TR-U2, but at the maximum density allowed in the TR-U1 zoning district. In terms of dwelling units, a development on a parcel this size (80,462 square feet) would be allowed up to 80 units with TR-U1 zoning and 160 units with TR-U2 zoning. The original 2015 approval included 80 units, while this proposal contains 88 units.

Considering the density differences between this proposal, previous approvals, and the Royster Clark Special Area Plan, staff believes consideration should be given to Conditional Use Standard 4, regarding impacts on the normal and orderly development and improvement of the surrounding property. Staff notes that while the number of units has increased from 80 to 88, changes to the dwelling unit bedroom mix has resulted in a decrease of the total number of bedrooms from 106 in the 2013 approval to 104 for the current proposal. Staff anticipates that the total number of residents to be approximately equal to that originally proposed for the site. As such, the Planning Division does not believe that the proposed development will result in substantially different impacts from what had been previously approved.

Conditional Use Approval Standard 9 requires that the Plan Commission shall find that new construction creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district. Traditional Residential – Urban districts are intended to encourage the essential characteristics of high-density residential areas and to ensure that new buildings are designed with sensitivity to their context in terms of building placement, façade width, height and proportions, garage and driveway placement, landscaping, and similar design features. Upon initial review of these plans, staff raised several design concerns with the applicant. Following a meeting with staff, the applicant provided updated elevations and building rendering. The applicant increased the height of the brick portions of siding at the stairway towers and the northwest and southwest corners above the level of the third-story windows and doors. The northwest and southwest corners also received stronger corner treatments, including an architectural cap. While staff had also suggested the applicant provide further differentiation of the cornice feature, staff notes that Urban Design Commission granted the proposal final approval at its November 21, 2018 meeting. As such, staff believes it possible to find this standard met. Finally, staff notes that plans do not depict HVAC penetrations or louvers. Staff have recommended their standard condition noting that the future addition of these on street-facing walls will require consideration of a conditional use alteration.

Planning Staff believes all other Conditional Use Approval Standards can be found met.

## Conclusion

Staff believes that, due to the project's scale and similarity to the previously approved project, it is possible for the project to meet the applicable approval standards, though careful consideration should be given to the points addressed in this report, particularly with regard to the dwelling unit density in reference to the original condition of the plat approval and the adopted special area plan. A time of report writing, staff has not received any public comments regarding this request.

## Recommendation

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

The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use to construct a three-story, 88-unit apartment building and underground parking on a vacant site at 515 Pinney Street subject to input at the public hearing and the following conditions:

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

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

1. No landscape elements shall be maintained between the heights of thirty (30) inches and ten (10) feet above the curb level within the twenty-five (25) foot vision clearance triangle of a street intersection.
2. Show the height of the proposed building on the elevations. The maximum height is 78 ft. Height is the average of the height of all building facades. For each facade, height is measured from the midpoint of the existing grade to the highest point on the roof of the building or structure. No individual facade shall be more than fifteen percent (15%) higher than the maximum height of the zoning district.
3. Show the refuse disposal area on the site plan. All developments, except single family and two family developments, shall provide a refuse disposal area. If the refuse disposal area is located outside the building, it shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet. Submit a detail of the trash enclosure if provided outside the building

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

4. It appears that an infiltration basin in the center courtyard that has an overflow that is very close to the FF elevation of the building. The applicant shall show that the overflow to this system will not impact the first floor during the 100 year storm event.
5. This property has unpaid assessments for the Royster Corners assessment district that will be due as a condition of development.
6. This development appears to have multiple existing laterals extended to the property line. In an effort to reduce inflow and contamination to the City's sanitary system our policy is to plug at the main laterals that are no longer active when associated with a new or redevelopment project. City Engineering will

complete a TV inspection of the main to help clarify which laterals are active and which need to be plugged as a condition of approval for this application. The applicant is notified that as a condition of approval a sewer plug permit will be required for one or more laterals associated with this project that will no longer be used at its completion.

7. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service.
8. Per the WDNR closure letter, this property was closed with residual soil and/or groundwater contamination (BRRTS #02-13-577234). Written approval from the WDNR is required prior to disturbing the existing barrier cap. Proof of coordination with the WDNR shall be submitted to Brynn Bemis (608.267.1986, [bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com)).
9. The Applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number:
  - a) Building Footprints
  - b) Internal Walkway Areas
  - c) Internal Site Parking Areas
  - d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
  - e) Right-of-Way lines (public and private)
  - f) Lot lines or parcel lines if unplatted
  - g) Lot numbers or the words unplatted
  - h) Lot/Plat dimensions
  - i) Street names
  - j) Private on-site sanitary sewer utilities (including all connections to public sanitary)
  - k) Private on-site storm sewer utilities (including all connections to public storm)All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email CAD file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.

10. The applicant shall 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). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2))PDF submittals shall contain the following information:
  - a) Building Footprints
  - b) Internal Walkway Areas
  - c) Internal Site Parking Areas
  - d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)

- e) Right-of-Way lines (public and private)
- f) Lot lines or parcel lines if unplatted
- g) Lot numbers or the words unplatted
- h) Lot/Plat dimensions
- i) Street names
- j) Stormwater Management Facilities
- k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).

11. This project appears to require construction dewatering. A dewatering plan shall be submitted to City Engineering as part of the Erosion Control Permit application and plan. 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.
12. 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. Include copies of all stormwater, utility, and detail plan sheets that contain stormwater practices on 8.5x14 size paper in the draft document. These drawings do not need to be to scale as they are for informational purposes only. Once City Engineering staff have reviewed the draft document and approved it with any required revisions submit a signed and notarized original copy to City Engineering. Include a check for \$30.00 made out to Dane County Register of Deeds for the recording fee. City Engineering will forward the document and fee for recording at the time of issuance of the stormwater management permit. Draft document can be emailed to Tim Troester (west) at [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com), or Daniel Olivares at [DAOlivares@cityofmadison.com](mailto:DAOlivares@cityofmadison.com) final document and fee should be submitted to City
13. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to provide infiltration in accordance with Chapter 37 of the Madison General Ordinances.
14. Complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.
15. The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. (MGO 16.23(9)(d)(6)) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
16. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR in order to comply with TMDL limits.
17. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.

18. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm>
19. This project will require a concrete management plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office.

**City Engineering Division – Mapping Section** (Contact Jeff Quamme, 266-4097)

20. All reciprocal easements have been recorded and adequately serve this proposed site plan.
21. Submit a Floor Plan in PDF format to Lori Zenchenko ([lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com)) that includes a floor plan for each floor on a separate sheet 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 application submittal for the final Site Plan Approval with Zoning. The approved Addressing Plan shall be included in the final 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. The final revised Addressing Plan shall be submitted by the applicant to Zoning to be attached to the final filed approved site plans.

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

22. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; 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.
23. 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.
24. 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.
25. All parking facility design shall conform to MGO standards, as set in section 10.08(6).



26. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
27. 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.
28. 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.
29. 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.
30. The applicant shall provide a clearly defined 5' walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
31. All parking ramps as they 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.
32. "Stop" signs shall be installed at a height of seven (7) feet 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.
33. 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.
34. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

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

35. Coordinate sheets to resolve any conflicts. The set had (2) C1.4 Fire Access Plans that showed different content and the landscape plan L1.1 & civil C2.2 had different fire lane designations.
36. Ensure building modifications and the potential for reconfigured building addresses conform to City standards. Discuss with City Engineering.

**Water Utility** (Contact Adam Wiederhoeft, 266-9121)

37. This property has unpaid assessments for the Royster Corners assessment district that will be due as a condition of development.
38. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two working days notice between the application submittal and the scheduled lateral connection/extension. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumberscontractors>), 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. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

**Parks/Forestry Division** (Contact Kathleen Kane, 261-9671)

39. 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(6) will be required for all new residential development associated with this project. This development is within the East Park -Infrastructure Impact Fee district. Please reference ID# 13123.5 when contacting Parks about this project.
40. City Forestry will evaluate the terrace for new street tree plantings upon completion of the project. If there is space for new trees, City Forestry will schedule planting and assess the cost of the initial planting to the property owner.

**Planning Division** (Contact Colin Punt, 243-0455)

41. No HVAC "wall-pack" penetrations/louvers are shown on the street-facing facades. Unless specifically approved by the Plan Commission, the addition of wall packs on outward-facing walls is not included in this approval and will require approval of an alteration to this conditional use should they be proposed at a later time.

42. Label colors and building heights on elevation sheets.