



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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

April 30, 2020

Justin Frahm  
JSD Professional Services, Inc.  
7402 Stone Ridge Drive, Suite 4  
Weston, Wisconsin 54476

RE: Consideration of a demolition permit to demolish an office building and restaurant; consideration of a conditional use in the Suburban Employment (SE) zoning district for multi-family dwellings; consideration of a conditional use in the SE District for a dwelling units in a mixed-use building; consideration of conditional use in the SE District for live/work units; consideration of a conditional use to reduce the number of off-street loading spaces required, as specified in Section 28.141(13)(b); and consideration of a conditional use in the SE District for outdoor recreation, all to construct a mixed-use development containing approximately 12,000 square feet of commercial space and 85 apartments in three buildings (Tom Degen). (LNDUSE-2020-00013; ID 59187)

Dear Mr. Frahm;

On April 27, 2020, the Plan Commission found the standards met and **approved** your demolition permit and conditional use requests to redevelop 5133-5237 University Avenue with three mixed-use buildings. Prior to issuance of demolition or building permits for the project, the conditions of approval in the following sections shall be satisfied:

**Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following twenty-three (23) items:**

1. The public sanitary sewer that runs through this site will likely need to be replaced with, or in coordination with this development to account for capacity needs of the City's sanitary sewer system. The City Engineering Division intends to televise the sewer to review the condition of the sewer main and review the operating flow levels prior to the development. The applicant shall provide projected sanitary sewer flow calculations to Mark Moder, [mmoder@cityofmadison.com](mailto:mmoder@cityofmadison.com) as a condition of approval. The Developer Agreement may require sewer replacement through the site.
2. Prior to approval, this project shall comply with Chapter 37 of 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 and Report shall include compliance with the following:

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

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering.

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

Oil/Grease Control: Treat the first half-inch of runoff over the proposed parking facility and/or drive up window.

As the site includes both new development (on existing grass) and redevelopment - there are detention and infiltration requirements. Infiltration shall meet 90% of the pre-existing infiltration and detention shall match the 1-, 2-, 5-, 10-, and 100-year events post to predevelopment rates.

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.

3. The existing storm box culvert that runs through the site was poured in place and the steel reinforcement was varied throughout the longitudinal section of the box. Where the original designers did not believe there were significant structural loads the reinforcing steel was thinned. As it exists in this area City Engineering does not recommend planning for heavy (truck) traffic over the box without review of the structural reinforcement design and a physical review of the box via confined entry. Televising the box likely will not be a viable option. It is noted that the fire lane is planned over the top of this box. Revise the fire lane access or provide a structural review, stamped by a professional engineer, regarding the integrity of the box for holding the necessary loading as proposed. Any damage to the existing box caused during the construction of this project will be at the applicant's expense to restore in-kind.
4. 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. Contact the City Engineering Division to schedule the development and approval of the plans and the agreement.
5. Madison Metropolitan Sewerage District (MMSD) are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
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. Obtain a permit to plug each existing storm sewer.

8. This project may require permanent dewatering. A permit to connect to the public stormwater system shall be required from the City Engineering Division. Additionally, a permit for non-storm discharge to the storm sewer system from Madison-Dane County Public Health shall also be required. If contaminated soil or groundwater conditions exist on or adjacent to this project, additional Wisconsin Department of Natural Resources (WDNR), Public Health, and/or City Engineering approvals may be required prior to issuance of the connection and non-storm discharge permits.
9. An Erosion Control Permit is required for this project.
10. A Storm Water Management Report and Storm Water Management Permit is required for this project.
11. A Storm Water Maintenance Agreement (SWMA) is required for this project.
12. 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 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. 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 CARPC is required for this project to proceed.
13. 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.
14. The elevations set for the lower level entrances for Building B and C appears to be only 0.5 feet higher than the low points in the parking area. More grading details will be required. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 100-year design storm that is current in MGO Chapter 37. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin P.E. or licensed Plumber that show this requirement has been met.
15. This area is known to be flood prone. Provide storm modeling calculations that demonstrate the safe overflow from the site to the downstream properties. The applicant shall show storm water "overflow" paths that will safely route runoff during the 100-year 24-hour design storm when the storm sewer is at capacity.
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 and therefore will be regulated to meet a higher standard.
17. This project will disturb 20,000 square feet or more of land area and requires an Erosion Control Plan. Please submit an 11 x 17-inch copy of an erosion control plan (PDF electronic copy preferred) to

Megan Eberhardt (west) at [meberhardt@cityofmadison.com](mailto:meberhardt@cityofmadison.com), or Daniel Olivares (east) at [daolivares@cityofmadison.com](mailto:daolivares@cityofmadison.com), for approval.

18. Demonstrate compliance with MGO Section 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.
19. 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, Madison-Dane County Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.
20. 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 266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.
21. 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 Madison General Ordinances.
22. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the City Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
23. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the City 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).

**Please contact Jeff Quamme of the City Engineering–Mapping Section at 266-4097 if you have any questions regarding the following eight (8) items:**

24. Due to the presence of City of Madison Public Sanitary Sewer through this site currently not located within a recorded easement, the owner shall grant a 15-foot wide Public Sanitary Sewer Easement on the face of the pending Certified Survey Map for the sewer running north-south and a 50 feet east to west portion along the south line of CSM 207. The terms and conditions shall be as required by the City of Madison. Contact Jeff Quamme ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com)) for the easement language to be included on the pending Certified Survey Map. Only pavements for vehicular access, parking and pedestrian uses along with landscaping (excluding large over-story trees) will be permitted within the easement area.
25. Due to the true location of the City of Madison Storm Box Culvert and a 24-inch storm sewer lead to the south connecting to the box culvert through this site, the owner shall grant a Public Storm Sewer Easement of adequate size and location to the City on the face of the pending Certified Survey Map with the terms and conditions required by the City of Madison. Contact Jeff Quamme

(jrquamme@cityofmadison.com) for the easement language to be included on the pending Certified Survey Map. Only pavements for vehicular access, parking and pedestrian uses along with landscaping (excluding large over-story trees) will be permitted within the easement area.

26. Due to the true location of the City of Madison Storm Box Culvert through this site, the City of Madison shall release the existing Storm Sewer Easement per Document No. 1092266 just prior to the recording of the pending CSM.
27. All rights that the City of Madison has within that portion of the public Sewer Easement per Document No. 623280 lying within the proposed Certified Survey map shall be released by the City of Madison.
28. A Public Sanitary Sewer and Storm Sewer Access Easement shall be granted by separate instrument drafted and recorded by City of Madison Real Estate staff. The applicant shall provide a map exhibit and \$500 administrative fee to Jeff Quamme (jrquamme@cityofmadison.com) designating the aisles and paved areas required to provide adequate access to the new Public Sanitary Sewer and Storm Sewer Easements for maintenance and replacement of the public facilities. Upon the receipt of the materials and fees, a Real Estate project will be set up to administer the document. The document shall be recorded immediately after the pending Certified Survey Map has been recorded.
29. There is a proposed 12-inch HDPE storm pipe on the north line of the existing Public Storm Sewer Easement in the westerly corner of the site. The pipe and access structures shall be moved to be entirely outside of the public easement area on the site plan.
30. The pending CSM 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.
31. Submit a Floor Plan for each separate building in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan for each floor on a separate sheet for the development of a complete building and 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 submittal of the final Site Plan Approval application 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.

**Please contact Sean Malloy of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following fifteen (15) items:**

32. As egress from this site is restricted to right turn only, Traffic Engineering staff has concerns, which have been echoed by the Madison Police Department, with vehicular traffic intending to travel westbound on University Avenue from the proposed site. Currently, drivers make illegal U-Turns at the intersection of University Avenue and Flambeau Road instead of continuing 300 feet east to the designed location for such maneuvers. This proposed development has the potential to increase the

frequency of illegal U-turns at the Flambeau Road and University Avenue intersection. As such, the applicant shall submit a deposit of \$12,000 for Flambeau Road/University Avenue intersection improvements. While each potential remedy presents its own challenges, it is the intent of Traffic Engineering staff to monitor the activity in this location and work towards design improvements following construction and full occupancy of the proposed development. Some improvements may include increased signing and marking and installation of a rapid rectangular flashing beacon installation. All final design improvements, if any are determined feasible, are to be determined solely by the City Traffic Engineer.

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. The applicant(s) shall maintain a five-foot wide, Americans with Disabilities Act (ADA) compliant, pedestrian walkway for the duration of the project on all street frontages classified as a collector or higher. The applicant shall also maintain a five-foot wide bicycle lane for the duration of the project on all street frontages with existing bicycle facilities. Exceptions to this requirement may be granted by Traffic Engineering on a limited term basis if and when the applicant can show a public safety concern and they also provide a clear date when the pedestrian/bicycle facilities are to be restored. All closures shall be designed by the applicant, in accordance with the Manual on Uniform Traffic Control Devices (MUTCD), to be submitted and approved by the Traffic Engineering Division.
38. All bicycle parking adjacent pedestrian walkways shall have a two-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers
39. All pedestrian walkways adjacent parking stalls shall be seven (7) feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by the Traffic Engineering Division.

40. Per MGO Section 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.
41. 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.
42. 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.
43. "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.
44. 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.
45. 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.
46. 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 University Avenue will be granted for construction purposes. Provide a detailed construction plan to the Traffic Engineering Division for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff.

**Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at 266-4429 if you have any questions regarding the following thirteen (13) items:**

47. Required loading facilities shall comply with MGO Section 28.141(13). **The required number of loading spaces was reduced through conditional use approval (see condition #80).**
48. Staff anticipates that future conditional uses will be sought as tenants are identified for commercial spaces in the mixed-use buildings. These conditional uses will require additional approvals from the Plan Commission. A future outdoor eating area associated with the food and beverage establishment requires conditional use approval.

49. The project site lies within Wellhead Protection District 14. Future commercial uses will be subject to review by the Water Utility. All uses in Zones A and B of any Wellhead Protection District shall be approved by the Water Utility General Manager or his/her designee. A use may be approved with conditions. Approval by the Water Utility General Manager or his/her designee is in addition to all other approvals required for the proposed use.
50. Section 28.185(7)(a)5 requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (266-4682). Section 28.185(10) requires that every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5 shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
51. Provide a dwelling unit summary with the numbers and types of dwelling units per building and per floor.
52. Include a bicycle parking summary with numbers of surface stalls, underground stalls, ground-mounted, and structured/ wall-mounted stalls for each building.
53. Bicycle parking for the commercial tenant spaces shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11). The bicycle parking requirements for the commercial tenant spaces will be reviewed prior to obtaining zoning approval for each use. Provide a minimum of 12 short-term bicycle parking stalls located in a convenient and visible area on a paved or pervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within 100 feet of a principal entrance. Short-term bicycle parking shall be provided for each building. NOTE: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Submit a detail showing the model of bike rack to be installed.
54. Bicycle parking for the multi-family dwellings shall comply with MGO Sections 28.141(4)(g) Table 28I-3 and 28.141(11) and shall be designated as short-term or long-term bicycle parking. A minimum of 82 resident bicycle parking spaces are required plus 8 guest stalls. A minimum of 90% of the resident stalls shall be designed as long-term parking, and the guest stalls shall be short-term parking. Up to 25% of bicycle parking may be structured parking, vertical parking or wall-mount parking, provided there is a five (5) foot access aisle for wall mount parking. Show the dimensions of the bicycle stalls and the access aisles. Provide a detail of the proposed bike racks including any structured or wall mount bike racks.
55. On the landscape plan, label and number the proposed trees and plantings with the planting code in addition to the identification symbol. 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.
56. Screening is required adjacent the zoning district boundary along the northwest and southwest property lines. Screening shall be provided along the side and rear property boundaries between commercial/mixed-use districts and residential districts. Screening shall consist of a solid wall, solid



fence, or hedge with year-round foliage, between six (6) and eight (8) feet in height. Submit a detail of the screening fence or vegetation with the final plans.

57. Submit a rooftop plan showing the location of any proposed rooftop mechanical equipment and screening. All rooftop and ground level mechanical equipment and utilities shall be fully screened from view from any street or residential district per Section 28.142(9)(d).
58. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
59. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances and Chapter 33 Urban Design Commission ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

**Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following two (2) items:**

60. Select tree species along the aerial access lanes such that the mature canopies do not impede into the aerial lanes.
61. Please consider allowing the Madison Fire Department to conduct training sequences prior to demolition. Contact Division Chief Paul Ripp of the MFD Training Division at [pripp@cityofmadison.com](mailto:pripp@cityofmadison.com) or (608)712-6277 to discuss this possibility.

**Please contact Adam Wiederhoeft of the Madison Water Utility at 266-9121 if you have any questions regarding the following five (5) items:**

62. A private well may have served 5207 University Avenue 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 Madison General Ordinance Section 13.21 prior to the demolition of the property. Please contact Water Utility staff at 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.
63. Revise utility plan to call out size and material of water service. Note that ductile iron is the only approved material in the right of way. Revise utility plan to call out type of connection to the public main in University Avenue.
64. This property is in a Wellhead Protection District–Zone (WP-14). The applicant shall provide the Madison Water Utility with confirmation that no hazardous and/or toxic materials will be stored on site, and that all proposed uses of this site comply with the City of Madison Wellhead Protection Ordinance. Any future change in use for this property will require review by the Madison Water Utility General Manager or his designated representative. Contact Adam Wiederhoeft at

awiederhoeft@madisonwater.org for additional information, including a summary of the submittal requirements

65. The Madison Water Utility shall be notified to remove the water meters at least two working days prior to demolition. Contact the Water Utility Meter Department at 266-4765 to schedule the meter removal appointment.
66. A Water Meter 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 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 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 266-4646.

**Please contact Sarah Lerner of the Parks Division at 261-4281 if you have any questions regarding the following item:**

67. 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. Please reference ID# 20001 when contacting Parks Division staff about this project.

**Please contact Brad Hoffman of the Streets Division–Forestry Section at 267-4980 if you have any questions regarding the following three (3) items:**

68. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – [bhofmann@cityofmadison.com](mailto:bhofmann@cityofmadison.com) or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester prior to the approval of the site plan.
69. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in Section 107.13 of *City of Madison Standard Specifications for Public Works Construction*. Any tree removals that are required for construction after the development plan is approved will require at least a 72-hour waiting period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

70. Additional street trees are needed for this project. All street tree planting locations and tree species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. Tree planting specifications can be found in Section 209 of *City of Madison Standard Specifications for Public Works Construction*.

**Please contact Janine Glaeser, Urban Design Commission Secretary, at 267-8740 if you have any questions regarding the following two (2) items of the Urban Design Commission *initial* approval of the residential building complex. The project shall obtain *final* approval from the UDC prior to final staff approval of the plans and issuance of permits.**

71. Simplify the number of materials, or change the plane they are in.

72. Revise the landscaping plan to change the tree species from Red Oak to White Oak or Kentucky Coffee, and Sugar Maple to a cultivar of that species.

**Please contact my office at 261-9632 if you have questions about the following eight (8) items, including the condition added by the Plan Commission (#80):**

73. The plans shall be revised to show a direct and accessible pedestrian connection from the University Avenue sidewalk to Building A for Planning Division approval prior to issuance of building permits for the project.

74. That the private sidewalk network within the site be enhanced through the use of a combination of wider walkways with landscaped buffers, pedestrian-level lighting, and wayfinding signage to help pedestrians to navigate to the various tenant spaces throughout the project.

75. That materials from the Quonset hut structure on the 5133 University Avenue parcel be salvaged for reuse off-site as part of the reuse and recycling plan.

76. Any proposed HVAC or utility penetrations on the building shall not face University Avenue or the residential properties to the northwest and southwest of the site. Any such penetrations elsewhere on the exterior of the building shall be designed to be perpendicular to the facades to limit their visibility to the greatest extent possible. No utility or HVAC pedestals or penetrations, including HVAC wall packs for units, and gas meters or electric meters for buildings/ units shall be permitted without specific approval by the Plan Commission.

77. No live/work units are shown on the proposed plans. Approval of any units as live/work units shall require approval by the Director of the Planning Division as a minor alteration to the conditional use following a recommendation by the district alder. The plans submitted for approval shall require the location and configuration of the proposed live/work units.

78. Note: Approval of the conditional use for the proposed food and beverage establishment in Building A does not include approval of an outdoor eating area for the future restaurant, etc. use. A separate conditional use application is required, and shall include information on capacity, furnishings, hours of operation, etc. Plan Commission approval of the conditional use for an outdoor eating area shall be required prior to occupancy of the outdoor area and approval of any related service licenses.

79. Note: It is possible that other future users of the first floor commercial spaces may also require conditional use approval prior to issuance of permits or occupancy of their respective suites. Also, as each commercial tenant space is leased, the entire development must reflect compliance in the required amount, type and number of auto and bicycle parking spaces, to be reviewed prior to obtaining zoning approval for each use.

**80. That the request for a reduction to the number of off-street loading spaces required to serve the project (to zero (0)) is approved subject to approval of a commercial delivery plan and residential move-in/move-out plan by the City Traffic Engineer prior to final approval of the project and issuance of building permits for the project.**

**No interior, exterior or structural demolition or wrecking activities or remodeling activities (including material reclamation activities by the applicant or a third party) shall commence nor any wrecking or building permits be issued until the applicant has met all of the conditions of approval stated in this letter.**

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

**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 [Zoning@cityofmadison.com](mailto:Zoning@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 one (1) year 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 6 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 24 months from the expiration date. 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 266-4551. If you have any questions or if you may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

*Timothy M Parks*

Timothy M. Parks  
 Planner

cc: Tim Troester, City Engineering Division  
 Jeff Quamme, City Engineering Division  
 Sean Malloy, Traffic Engineering Division  
 Jenny Kirchgatter, Asst. Zoning Administrator  
 Adam Wiederhoeft, Madison Water Utility  
 Sarah Lerner, Parks Division  
 Brad Hofmann, Forestry Section  
 Janine Glaeser, Urban Design Commission  
 Bill Sullivan, Madison Fire Department

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

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*Signature of Applicant*

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*Signature of Property Owner  
 (If Not Applicant)*

<b>LNDUSE-2020-00013</b>			
<b>For Official Use Only, Re: Final Plan Routing</b>			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Other: Forestry Section
<input checked="" type="checkbox"/>	Water Utility	<input type="checkbox"/>	Other: