

PLANNING DIVISION STAFF REPORT

May 11, 2020

PREPARED FOR THE PLAN COMMISSION



Project Address: 5567 Odana Road (District 19 – Ald. Furman)

Application Type: Demolition Permit & Conditional Use

Legistar File ID #: [59933](#)

Prepared By: Sydney Prusak, AICP, Planning Division
Report includes comments from other City agencies, as noted.

Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant, Contact, & Property Owner: Lance McGrath; McGrath Property Group; 730 Williamson Street, Suite 150, Madison, WI 53703

Requested Action: Approval of a demolition permit and the following conditional uses in the Commercial Corridor-Transitional (CC-T) Zoning District: 1) A multi-family dwelling containing more than eight dwelling units; 2) A mixed-use building with more than 24 dwelling units; 3) A multi-tenant building exceeding 40,000 square feet in floor area; and 4) A mixed-use building with less than 75% non-residential ground floor area, all to construct a five-story mixed-use building with 3,346 square feet of commercial space and 79 apartments.

Proposal Summary: The applicant proposes to demolish a one-story former bank building and construct a five-story, 92,897-gross-square-foot mixed-use building with 3,346 square-feet of commercial space and 79 residential units with 44 covered parking stalls and 44 surface parking stalls. Project construction is anticipated to begin in summer 2020, with projected completion in spring 2021.

Applicable Regulations & Standards: This proposal is subject to the standards for Demolition and Removal Permits [MGO §28.185], Conditional Uses [MGO §28.183(6)], and Urban Design District #3 Requirements [MGO §33.24(10)].

Review Required By: Urban Design Commission (UDC) and Plan Commission (PC)

Summary Recommendations: On balance, if the Plan Commission can find the applicable standards are met, then the Planning Division recommends that the Plan Commission **approve** the demolition and conditional use requests. These recommendations are subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Background Information

Parcel Location: The 52,697-square-foot (approximately 1.21-acre) subject site is located on the south side of Odana Road between Medical Circle and S Whitney Way. It is located in Aldermanic District 19 (Ald. Furman) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject parcel has an existing one-story bank building with vehicle access sales and service window (drive-thru) and a surface parking lot.

Surrounding Land Uses and Zoning:

- North:** A large commercial shopping center with an assortment of uses and surface parking lot, zoned Commercial Center (CC);
- East:** An assortment of one-story commercial and service uses, including a swim club, zoned Commercial Corridor – Transitional (CC-T);
- South:** An assortment of commercial, medical, and recreation uses, zoned CC-T with the Beltline Highway beyond; and
- West:** An assortment of medical and commercial uses, zoned CC-T.

Adopted Land Use Plan: The [Comprehensive Plan \(2018\)](#) recommends General Commercial (GC) for the subject property. GC areas provide the city's population with a wide range of retail goods and services including certain business and professional offices. GC areas are not generally recommended for residential uses, though such uses may be considered as part of a conditional use under relevant zoning districts.

Zoning Summary: The subject property is zoned Commercial Corridor – Transitional (CC-T) and Wellhead Protection District 12 (WP-12).

Requirements	Required	Proposed
Front Yard Setback	25' maximum	9.3'
Side Yard Setback: Where proposed buildings or abutting buildings have window openings in side walls within 6' of lot line	Two-story or higher: 6'	13.0' east side yard Adequate west side yard
Rear Yard Setback	The lesser of 20% of lot depth or 20'	20.0'
Usable Open Space	160 sq. ft. per lodging room or 1-bedroom unit; 320 sq. ft. for >1-bedroom units (15,040 sq. ft.)	Adequate (40)
Maximum Lot Coverage	85%	Less than 85% (39)
Maximum Building Height	5 stories/68'	5 stories/Less than 68'

Site Design	Required	Proposed
Number Parking Stalls	No minimum required	44 surface 44 garage (88 total)
Accessible Stalls	Yes	Yes
Loading	None	None
Number Bike Parking Stalls	Multi-family dwelling: 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (79), 1 guest space per 10 units (8)	10 surface 66 garage (76 total) (41)(42)
Landscaping and Screening	Yes	Yes (43)(44)(46)
Lighting	Yes	Yes
Building Forms	Yes	Flex building (45)(47)

Other Critical Zoning Items	Urban Design (UDD #3), Barrier Free (ILHR 69); Utility Easements; Wellhead Protection District (WP-12)
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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, with multiple Madison Metro routes serving the site given its proximity to the West Transfer point.

Project Description

The applicant proposes to demolish an existing 2,222 square-foot bank building with a vehicle access sales and service window (drive-thru) in order to construct a new 92,897-square-foot, five-story mixed-use building with 3,346 square-feet of commercial space, and 79 residential units, with 44 covered parking stalls and 44 surface parking stalls. According to the City Assessor's Office, the building proposed for demolition was constructed in 1978. Photos of the existing structure are available [here](#).

Proposed dwelling units range in size from 578 square-feet to 1,353 square-feet and include 12 studio units, 52 one-bedroom units, and 15 two-bedroom units. Plans show that 54 of the units will have individual balconies. As part of the usable open space, the applicant proposes a ground floor courtyard area on the western side of the building and the northwest corner of the building will have shared common room with a second floor rooftop deck.

In regards to the building's materials, the applicant proposes a mix of brick masonry, composite lap siding, and metal accents throughout. The building will have neutral colors, including two gray tones, a burnished block base, and copper accents. The building will be setback approximately nine feet from Odana Road and will be 113 feet (measuring at the widest point) by 230 feet, standing at 66 feet. The commercial space will be adjacent to Odana Road, with an accessible entrance from the street.

Lastly, in regards to bicycle parking for the development, 66 covered residential stalls are provided, as well as ten surface stalls. No loading zone is provided, nor is one required by Zoning.

Project Analysis

The proposed project is subject to the standards for Demolition Permits [MGO §28.185(7)] and Conditional Uses [MGO §28.182(6)].

Conformance with Adopted Plans

The [Comprehensive Plan \(2018\)](#) recommends General Commercial (GC) for the subject property. GC areas provide the city's population with a wide range of retail goods and services including certain business and professional offices. GC areas are not generally recommended for residential uses, though such uses may be considered as part of a conditional use under relevant zoning districts. Further, there is no limit on the size of establishments that may be constructed within a GC area, but all uses should be compatible with the density and scale of the surrounding development. In describing the specificity of the Generalized Future Land Use Map, the plan states "While land uses are mapped to specific locations, the recommendations presented in the GFLU Map are still relatively broad, and the exact shape of many of the mapped land use categories are necessarily somewhat general." While this request is for a mixed-use building with a large residential component, given its context within a larger commercial area and the property's mixed-use Zoning District, the Planning Division believes that this proposal generally conforms to the adopted plan recommendations.

Staff also notes that the subject site is within the study area for the [Odana Area Plan](#), which is currently in the first stage of its planning and development process. However, staff advises that this current proposal be reviewed against the recommendations adopted at the time application filing, which in this case is the aforementioned [Comprehensive Plan \(2018\)](#).

Demolition Approval Standards

In order to approve a demolition request, the Plan Commission must find that both the requested demolition and the proposed future use are compatible with the purpose of the demolition section of the Zoning Code and the intent and purpose expressed in the Commercial Corridor – Transitional (CC-T) Zoning District. A copy of the statement of purpose is provided in the Plan Commission materials. The purpose of the demolition section is to aid in the implementation of adopted City plans, protect neighborhood character, preserve historic buildings, encourage the reuse and/or relocation of existing buildings, discourage buildings falling into a state of severe disrepair from lack of maintenance by the owner, encourage compliance with building and minimum housing codes, and allow the property owner to have a decision on approval or disapproval of the proposed use of the property before he or she takes the irrevocable step of demolishing or moving the buildings.

The commercial bank building proposed for demolition is currently vacant. The submitted photos appear to show mold and interior damage.

The demolition standards state that the Plan Commission shall consider and may give decisive weight to any relevant facts including impacts on the normal and orderly development of surrounding properties and the reasonableness of efforts to relocate the building. The demolition standards also state that the proposed uses should be compatible with adopted plans, which is discussed above.

Finally, the demolition standards state that the Plan Commission shall consider the report of the City's Historic Preservation Planner regarding the historic value of the property as well as any report submitted by the Landmarks Commission. At their February 17, 2020 meeting, the Landmarks Commission found that the building at 5567 Odana Road has no known historic value.

The Planning Division believes that the Demolition Approval Standards can be found met.

Conditional Use Standards

The applicant is requesting approval of the following conditional uses in the Commercial Corridor – Transitional (CC-T) Zoning District: 1) A multi-family dwelling containing more than eight dwelling units; 2) A mixed-use building with more than 24 dwelling units; 3) A multi-tenant building exceeding 40,000 square feet in floor area; and 4) A mixed-use building with less than 75% non-residential ground floor area, all to construct a five-story mixed-use building with 3,500 square feet of commercial space and 79 apartments.

In regards to the Conditional Use Approval Standards, the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of MGO §28.183(6) are met. Please note, recent changes to state law requires that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation.

The Planning Division believes that this proposal generally conforms to the adopted plan recommendations for the subject site. Regarding the design guidelines, this property is located within Urban Design District #3 (UDD #3) and must conform to District requirements and follow District guidelines. At their April 29, 2020 meeting, meeting

in regular session, the Urban Design Commission (UDC) unanimously voted to grant this proposal final approval. Therefore, the Planning Division believes that this proposal conforms to the design guidelines for the property.

On balance, staff believes that it is possible that the Conditional Use Approval Standards can be found met and provides further discussion on Standards #4, #5, and #9.

Conditional Use Standard #4 states, "The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district." Staff notes that plan consistency and the ability to implement plan recommendations are typically among the key considerations regarding the evaluation of this standard. As noted above, the [Comprehensive Plan \(2018\)](#) recommends general commercial development, which typically does not encourage residential uses. During pre-application discussions with the applicant and other potential developers, staff shared concerns regarding the introduction of residential development on this site, at this time. This included discussions for previous developers seeking to utilize the City's Affordable Housing Fund. Staff's preference had been to complete the now-underway detailed Odana Road Area planning effort prior to introducing residential development into a commercial area where no residential currently exists. Staff notes, however, that the existing zoning allows this residential development with conditional use approval and that the area puts residential uses into close proximity to several commercial uses such as restaurants, grocery, and other retail.

Conditional Use Standard #5 states, "Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit, and other necessary site improvements have been or are being provided." The Planning Division believes that this standard can be found met. In regards to vehicular parking, the applicant is providing 88 stalls for 79 residential units (1.11 stalls per unit and 0.94 stalls per bedroom). Staff notes that no dedicated parking is provided for the commercial component of the proposal. Given the CC-T parking considerations, as proposed there is not minimum parking requirement. This may change when the retail tenant is determined. However, even if the applicant is required to dedicate some of the residential spaces to serve the commercial use, the Planning Division believes that this site is adequately parked. There is no minimum parking requirement for residential uses in the CC-T District and this property is located in close proximity to the West Transfer point and future Bus Rapid Transit (BRT) route. Further, there are many commercial and service businesses in walking distance from the site. The applicant may also explore shared parking arrangements with their own tenants or neighboring property owners.

In regards to drainage, City Engineering has added a condition of approval to requiring that the applicant direct all stormwater to the Odana Road Right-of-Way or obtain an easement from the neighboring properties. Given this condition, staff believes that adequate drainage improvements will be provided. Staff believes that Standard #5 can be found met.

Conditional Use Standard #9 states, "When applying the above standards to any new construction of a building or an addition to an existing building, the Plan Commission shall find that the project 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. In order to find that this standard is met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission (UDC) for comment and recommendations." As this property is located within UDD #3, this proposal went before the UDC on February 26, 2020 for an informational presentation and received final approval at the April 29, 2020 UDC meeting. Given this positive finding, the Planning Division believes that this standard can be found met.

Public Input

At the time of report writing, staff received written comments in opposition from surrounding commercial property owners. Their concerns included building height, inadequate parking, potential stormwater runoff, and general lack of information about the project. Those comments are included in the Plan Commission materials.

Conclusion

The applicant proposes to demolish a one-story former bank building and construct a five-story, 92,897-gross-square-foot mixed-use building with 3,346 square-feet of commercial space and 79 residential units with 44 covered parking stalls and 44 surface parking stalls

The Planning Division has raised questions regarding the introduction of residential development at this location at this time. However, the proposed use is allowed under Zoning with conditional use approval and staff believes that on balance, this proposal can be found to meet the approval standards for demolition and removal permits and conditional uses.

Recommendation

Planning Division Recommendation (Contact Sydney Prusak, (608) 243-0554)

On balance, if the Plan Commission can find that the applicable standards are met, then the Planning Division recommends that the Plan Commission **approve** the demolition and conditional use requests to demolish a former bank building and construct a five-story mixed-use building with 3,346 square feet of commercial space and 79 apartments in the Commercial Corridor – Transitional (CC-T) Zoning District at 5567 Odana Road. These recommendations are subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

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

Planning Division (Contact Sydney Prusak, (608) 243-0554)

1. If dogs are allowed on site, a station for the collection of dog waste shall be included in the project to discourage dog waste from collecting on nearby streets.

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

2. The applicant shall revise the drainage plan to direct all stormwater to the ROW of Odana Road. Alternatively, the applicant may obtain an easement from downstream property owners to discharge onto their property.
3. Obtain a permit to Excavate in the Right-of-Way for completing the improvements in the public Right-of-Way. The permit application is available on the City Engineering Division website at <http://www.cityofmadison.com/engineering/Permits.cfm>. As a condition of the permit, surety to guarantee the construction of the improvements and a deposit to cover estimated City expenses will be required.
4. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to

obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))

5. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
6. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
7. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
8. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
9. 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>.

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.

10. Revise the site plan to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)
11. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used. (POLICY AND MGO 10.29)
12. Revise the plans to identify the location of the public storm sewer (proposed or existing) that will serve the development show the connection of the private internal drainage system to the public storm sewer. (POLICY AND MGO OVER 10,000 SF OF IMPERVIOUS AREA 10.29 and 37.05(7)(b))
13. The proposed development proposes to construct underground parking. The proposed entrance to the underground parking is adjacent to a street low point. The applicant shall provide at a minimum of one (1) foot of rise from the adjacent back of walk in the driveway before breaking grade to the down ramp to the underground parking to protect the underground parking from inundation.
14. This project will disturb 4,000 sf or more of land area and require 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. The permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

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

Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>

This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit. (POLICY)

This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.

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

15. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

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

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

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))

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 1/2 inch of runoff over the proposed parking facility and/or drive up window.

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.

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

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

18. This site is to discharge storm water surface water onto adjacent lands lying south and east of the site. The existing storm water flume easement agreement per Doc 2348893 does not extend southerly all the way to encompass the point of discharge of this plan, nor does the agreement address the acceptance of storm water runoff for the entire site onto the adjacent lands. A private Storm Sewer/Drainage Easement/Agreement providing for the discharge of storm water from this development site onto adjacent lands shall be drafted, executed and recorded prior to building permit issuance

19. The applicant/owner/contractor are responsible for any easement/agreement required if the construction or maintenance of the retaining wall along the west side requires disturbance of adjacent lands to the west of this site.
20. The base address of the apartments is 5579 Odana Rd. The commercial tenant space address(es) are TBD and will be finalized when build out configurations are known. 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.
21. Submit a Floor Plan 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 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 (Contact Sean Malloy, (608) 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. 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 Austin Scheib, (266-4768) (ascheib@cityofmadison.com) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
32. The driveway slope to the underground parking is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.
33. "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.

34. 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 Odana Road will be granted for construction purposes. Provide a detailed construction plan to Traffic Engineering for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff.

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

35. The project site lies within Wellhead Protection District 12. 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.

36. 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 at streets@cityofmadison.com
37. Section 28.185(10) 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.
38. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission approval.
39. Provide a calculation and plan detail for lot coverage with the final submittal. The lot coverage maximum is 85%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.
40. In addition to identifying each qualifying at-grade usable open space area on the final plans, provide calculations for the amount of structured useable open space at roof decks, porches, and balconies. Roof decks, porches, and balconies may be used to meet up to seventy-five percent (75%) of the minimum open space requirement, provided that minimum dimensional requirements are satisfied.
41. Bicycle parking shall comply with City of Madison General Ordinances Sections 28.141(4)(g) Table 28I-3 and 28.141(11) and shall be designated as short-term or long-term bicycle parking. For the multi-family dwelling units, a minimum of 79 resident bicycle stalls are required plus a minimum of 8 short-term guest stalls. Up to twenty-five percent (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. 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.
42. For the multi-tenant commercial spaces, provide a minimum of two (2) 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 one hundred (100) feet of a principal

entrance. As each commercial tenant space is leased, the entire development must reflect compliance in the required number of bicycle parking spaces, to be reviewed prior to obtaining zoning approval for each use. Provide a detail of the proposed bike rack.

43. 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 ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
44. Provide screening for the generator. The generator shall be located and screened to reduce its visual impact when viewed from neighboring property and to be compatible with neighboring structures and the character of the community. Screening materials, landscaping, or fencing shall be similar in appearance to those used for the principal structure on the zoning lot.
45. Provide details showing that the primary street façade meets the door and window opening requirements of Section 28.060(2)(d). For nonresidential uses at ground floor level, windows and doors or other openings shall comprise at least sixty percent (60%) of the length and at least forty percent (40%) of the area of the ground floor of the primary street facade. At least fifty percent (50%) of windows on the primary street facade shall have the lower sill within three (3) feet of grade. On upper stories, window or balcony openings shall occupy a minimum of fifteen percent (15%) of the upper-story wall area.
46. Submit the rooftop plan showing the location of any proposed rooftop mechanical equipment and screening. Provide a detail or profile demonstrating that rooftop mechanical equipment will not be visible to view above the height of the parapets. All rooftop equipment shall be screened from view from adjacent streets and public rights-of-way per Sections 28.060(2)(f) and 28.142(9)(d). Screens shall be of durable, permanent materials that are compatible with the primary building materials.
47. Provide details of the second floor rooftop patios including the pergola, fence/ screening divider, landscape planters, and other resident amenities.
48. 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.
49. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

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

50. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Paul Ripp at pripp@cityofmadison.com or (608) 712-6277.

Parks Review (Contact Sarah Lerner, (608) 261-4281)

51. 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# 20010 when contacting Parks about this project.

Forestry Review (Contact Wayne Buckley, (608) 266-4816)

52. An existing inventory of street trees located within the right of way shall be included on the landscape, site, demo, and utility plans. 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.
53. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the plan set.
54. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry (266-4816) prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the plan set. Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at 266-4816. Penalties and remediation shall be required. Add as a note on the plan set.
55. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on the plan set.
56. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on the plan set.

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

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

have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Metro Transit (Contact Tim Sobota, (608) 266-4097)

58. Metro Transit operates all-day service on weekdays along Odana Road, adjacent this property. Additionally, Metro Transit operates daily all-day service along Whitney Way at Odana Road, approximately 1000' east of this property.