



Project Address: 421 Charmany Drive (19th Aldermanic District – Ald. Furman)

Application Type: Conditional Use

Legistar File ID # [66549](#)

Prepared By: Colin Punt, Planning Division
Report includes comments from other City agencies, as noted.

Reviewed By: Heather Stouder, AICP, Planning Division Director

Summary

Applicant: Elizabeth Alder; Mandel Group; 330 E. Kilbourn Ave, Ste 600 S; Milwaukee, WI 53212

Owner: Paul Muench; University Research Park, Inc.; 510 Charmany Dr; Madison, WI 53719

Requested Action: Consideration of conditional uses for more than 48 dwelling units in a mixed-use building [§28.061(1) and §28.151 MGO], building height exceeding three stories or 40 feet in the TSS district [§28.065(3)(c) MGO], a private parking facility, outdoor eating area associated with a food and beverage establishment, and accessory outdoor recreation [all §28.06(1) MGO].

Proposal Summary: The applicant is seeking approvals to construct a six-story mixed-use building with 178 dwelling units and 4,400 square feet of retail space.

Applicable Regulations & Standards: Section 28.183 MGO provides the process and standards for the approval of conditional uses.

Review Required By: Plan Commission

Summary Recommendations: The Planning Division recommends that the Plan Commission find the standards met and **approve** the conditional uses to construct a six-story mixed-use building with 178 dwelling units and 4,400 square feet of retail space at 421 Charmany Drive subject to input at the public hearing and the conditions from reviewing agencies in this report.

Background Information

Parcel Location: The subject site is 3.36 acres and located on the northeast side of Charmany Drive, immediately south of Mineral Point Road. It is within Aldermanic District 19 (Ald. Furman) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site, which is zoned TSS (Traditional Shopping Street District), is currently vacant.

Surrounding Land Uses and Zoning:

North: Across Mineral Point Road, Garner Park, zoned PR (Parks & Recreation District) and an apartment building and office building, zoned CC-T (Commercial Corridor-Transitional District);

West: A three-story office building zoned SE (Suburban Employment District);

South: Lab and office buildings zoned SE; and

East: Vacant land zoned TE (Traditional Employment District).

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) identifies the subject as Community Mixed Use (CMU) use. The [Southwest Neighborhood Plan](#) (2008) does not provide land use recommendations for this area.

Zoning Summary: The subject property is zoned TSS (Traditional Shopping Street District):

Requirements	Required	Proposed
Front Yard Setback	0' or 5'	3.15' (1)
Side Yard Setback: Other cases	None unless needed for access	15.11' west side 0' east side
Rear Yard Setback	The lesser of 20% of lot depth or 20'	35.09'
Usable Open Space	40 sq. ft./ d.u. (7,120 sq. ft.)	12,685 sq. ft.
Maximum Lot Coverage	85%	80.3%
Maximum Building Height	3 stories/ 40'	6 stories

Site Design	Required	Proposed
Number Parking Stalls	Multi-family dwelling: 1 per dwelling (178) General retail; service business; office: 1 per 400 sq. ft. floor area (7) Restaurant; restaurant-tavern: 15% of capacity of persons (24) (209 total)	328 (see zoning comment 4)
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 (182) 1 guest space per 10 units (18) General retail; service business; office: 1 per 2,000 sq. ft. floor area (2 minimum) Restaurant; restaurant-tavern: 5% of capacity of persons (8) (210 total)	194 (see zoning comments 3-6)
Landscaping and Screening	Yes	Yes (see zoning comment 7)
Lighting	Yes	No (see zoning comment 10)
Building Forms	Yes	Commercial Block Building (see zoning comments 8 & 9)

Other Critical Zoning Items	Barrier Free (ILHR 69), Utility Easements
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Table prepared by Jenny Kirchgatter, 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 Description

The applicant is seeking a conditional use approvals to construct a six-story mixed-use multifamily proposal at 421 Charmany Drive including 178 units over two levels of structured underground parking. The proposal also includes approximately 3,000 square feet of leasable retail space along Catalyst Drive (the newly-platted east-west street through the larger "Element" development) and approximately 1,400 square feet for a café, also along Catalyst Drive.

Mandel Group, the applicant, is partnering with University Research Park (URP), on a mixed-use development on approximately 7.4 acres located at the southwest corner of Mineral Point Road and Whitney Way. In late 2020, Mandel and URP submitted a rezoning and plat application that was approved in early 2021.

The residential unit mix includes 39 studios, 91 one-bedroom units, 39 two-bedroom units, and nine three-bedroom units. The apartments will function as a private residential building with access-control features. Access to the residential parking level, access onto residential elevators and access onto the residential green roof/amenity deck will require a resident fob or pass code. The building lobby will be accessible by residents as well as the public. The east entrance lobby will be through an activated space featuring a café space and co-working space. A second level lobby will include a leasing/management center, fitness gym, and postal/package delivery. The west entrance lobby includes resident amenity spaces, specifically a sports center with multiple TVs and table games, pet grooming room, bike repair space (intended to be leased to a third party operator, per the letter of intent), and a large bike storage room. Level P1 (upper parking deck) includes two retail bays. Level 2 (lower parking deck) includes the café location. "Level 1" is above grade on three of the four elevations and includes an outdoor green roof and amenity space within a courtyard surrounded by the four-story residential towers approximately 20' above the sidewalk level, where a private pool and amenity center are located for use by residents and guests. The amenity deck and pool are both within the building's access control system.

The 328-stall, two-level parking structure is intended to provide parking for multiple area users. Level P1 is reserved for the apartment residents, while Level P2 will be open for public parking and is expected to accommodate office and commercial patronage generated by other uses within the area. The parking facility is intended to accommodate shared parking needs for the apartments, retail, and café, in addition to overflow parking for lab employees of the Element Lab project located on a nearby parcel at the corner of Mineral Point Road and Whitney Way, as well as the future food hall and climbing gym patrons, planned for the lot between the multifamily and lab buildings. Parking will be accessed from future Catalyst Way. Pedestrian access will be predominantly from Catalyst Way as well, except for some level 1 units, which will feature private entrances on a pedestrian path that runs along the north and west sides of the building.

Submitted building elevations show a primarily grayscale color scheme. Principle facade materials are a medium-gray brick, medium-gray stone, light-gray composite metal paneling, and a dark-gray fiber cement paneling. Ground floor spaces have typical storefront systems, while upper floors include fiberglass window and door systems and prefabricated hung balconies. The site includes a steep grade, falling from west to east. At its western extreme the building is four stories above grade and approximately 45 feet tall. At the easterly end, the building measures nearly 78 feet above grade and will be six stories in profile from the adjoining grade. Landscaping includes low-level plantings around the base of the building, landscaping beds and street trees along Catalyst Way, more significant trees and larger shrubs along Mineral Point Road, and planting trays and small trees within the amenity deck.

As noted above, within the east entrance of the building will be a café. An 850 square foot outdoor plaza will include additional outdoor seating for the café. The café plaza will have two connections to the Catalyst Drive

sidewalk and will be lined with a landscape planting bed and trees to provide screening between the public walk and eating area. According to the letter of intent, the café will be operated by a local restaurateur and function as a breakfast, lunch and afternoon snacks establishment. The anticipated hours of operation are from 6:00 AM until 5:00 PM. The retail space is intended for convenience service and retail businesses serving residents, business park employees and the public at large. The anticipated hours of operation are from 8:00 A.M to 9:00 P.M. The applicant has not identified tenants for the café space or retail space.

If approved, the applicant intends to begin construction in late 2021, with occupancy in summer 2023.

Analysis & Conclusion

This request is subject to the standards for conditional uses. This section begins with adopted plan recommendations, then provides an analysis of conditional use standards.

Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) identifies the subject as Community Mixed Use (CMU) use. Community Mixed-Use areas are a relatively high-intensity mix of residential, retail, office, institutional, and civic uses, generally located adjacent to major transportation corridors. Development in CMU areas generally ranges from two to six stories in height and up to 130 dwelling units per acre. The [Southwest Neighborhood Plan](#) (2008) does not provide land use recommendations for this area. Staff believes that the request can be found to be consistent with the recommendations of the adopted plans.

Conditional Use Standards

There are several conditional use requests before the Plan Commission. 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. Staff advises the Plan Commission that in evaluating the conditional use standards, 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. This request includes consideration of conditional uses for more than 48 dwelling units in a mixed-use building [§28.061(1) and §28.151 MGO], building height exceeding three stories or 40 feet in the TSS district [§28.065(3)(c) MGO], a private parking facility, outdoor eating area associated with a food and beverage establishment, and accessory outdoor recreation [all §28.06(1) MGO].

Regarding conditional use standards of approval two, which requires that the City is able to reasonably provide municipal services to the property, and five, which requires adequate utilities, access roads, drainage, parking supply, and internal circulation, many of the issues related to these two standards are tied closely to the approval of the related plat and construction of the improvements included therein. Staff also notes that, related to standard of approval six, the Traffic Engineering Division has required a transportation demand management plan, which has already been submitted to and is under review by the Traffic Engineering Division.

Staff believes that with the recommended conditions of approval, all conditional use approval standards can be found met or are not applicable to this proposal.

Conclusion

In consideration of the adopted plan recommendations, the recently-approved plat and associated improvements, and the scale and use of this proposal in relation to the surrounding planned and existing development, staff believes that the Plan Commission can find the conditional use approval standards can be met.

At time of report writing, staff is unaware of any public comment.

Recommendation

Planning Division Recommendations (Contact Colin Punt 243-0455)

The Planning Division recommends that the Plan Commission find the standards met and **approve** the conditional uses to construct a six-story mixed-use building with 178 dwelling units and 4,400 square feet of retail space at 421 Charmany Drive subject to input at the public hearing and the following conditions:

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

Planning Division (Contact Colin Punt, 243-0455)

1. 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.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

2. Show the distance between the curb and property line to verify the front yard setback requirement. The front yard setback is 0' if the distance between the curb and property line is equal to or greater than 15'. A no-build easement may be used to achieve the 15' distance. If the distance between the curb and property line is less than 15', the front yard setback is 5'.
3. Bicycle stalls are proposed in the public right-of-way. Bicycle stalls located in the public right-of-way do not count toward the minimum bicycle parking requirement. If the required number of bicycle parking stalls cannot be provided on the private property, submit a request for a bicycle parking reduction per Section 28.141(5). The request for a bicycle parking reduction shall include information to support the argument for reducing the required number of spaces. Obtain the necessary approvals for the bicycle racks to be located in the public right-of-way.
4. As each 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.
5. Bicycle parking for the residential dwelling units shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11) and shall be designated as short-term or long-term bicycle parking. A minimum of 182 resident bicycle stalls are required plus a minimum of 18 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.

6. Bicycle parking for the commercial tenant spaces shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11) and will be reviewed prior to obtaining zoning approval for each use. Provide a minimum of ten (10) 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.
7. On the landscape plan, label and number the proposed trees and plantings with the plant code and quantity 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 ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
8. 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. For residential uses at ground level, a minimum of fifteen percent (15%) of the ground level of residential facades or side and rear facades not fronting a public street shall consist of windows and door openings. On upper stories, window or balcony openings shall occupy a minimum of fifteen percent (15%) of the upper-story wall area.
9. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first sixty (60) feet from grade are comprised of less than fifty percent (50%) glass, at least eighty-five percent (85%) of the glass on glass areas fifty (50) square feet or over must be treated. Of all glass areas over fifty (50) square feet, any glass within fifteen (15) feet of a building corner must be treated. All glass railings must be treated. All glass on enclosed building connections shall be treated up to 60' above-grade. Identify which glass areas will be treated, and provide a detail of the specific treatment that will be used.
10. Exterior lighting provided shall be in accordance with City of Madison General Ordinances Section 10.085. Provide an exterior lighting plan and fixture cut sheets with the final plan submittal.
11. 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.
12. 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 District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

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

13. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the

development and approval of the plans and the agreement. (MGO 16.23(9)c)

14. Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat/csm. (MGO 16.23(9)(d))
15. 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))
16. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
17. 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.
18. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
19. 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.
20. All street, terrace, sidewalk and path improvements around site must be constructed per developer agreement for UW Research Park Element Collective Plat.
21. 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)
22. 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)
23. 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.
Meeting this standard does not guarantee flood protection and the applicant is encouraged to complete their own analysis of the flood risks associated with this underground entrance.
24. 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-yr design storm that is current in Madison General Ordinance 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.

25. 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, or Daniel Olivares (east) at daolivares@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.

26. 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))

Rate Control: Detain the 2, 10, 100 & 200 -year storm events, matching post development rates to predevelopment rates and using the design storms identified in Madison General Ordinances Chapter 37.

Infiltration: Provide infiltration of 90% of the pre-development infiltration volume.

TSS New Development: Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.

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.

27. 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.

28. 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).
29. The proposed parcels within this development (and/or adjacent to) are dependent on each other for overland and subsurface storm water drainage. A private Storm Sewer/Drainage Easement/Agreement for all parcels within (and/or adjacent to) this development shall be drafted, executed and recorded prior to building permit issuance.

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

30. There are storm water management and storm sewer pipe serving this site that are located on the lot to the west. A private Storm Sewer/Drainage Easement/Agreement addressing this shall be drafted, executed and recorded prior to building permit issuance.
31. Update all sheets to reflect the swapping of street names Element Way and Catalyst Way. 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.
32. The pending Element District plat application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction or early start.
33. 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 second review submittal for this LNDUSE with Zoning. The approved Addressing Plan shall be included in said final submittal.

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 added, changed and/or reapproved..

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

34. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale 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.
35. 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.

36. 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.
37. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
38. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
39. 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.
40. 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.
41. The applicant shall provide a clearly defined 5' walkway from the front door to the public Right of Way clear of all obstructions to assist citizens with disabilities, especially those who use a 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.
42. All parking ramps as the approach the public Right-of-Way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the Right-of-Way. If 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.
43. 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 DeAndre Newson, (266-4768, dnewson2@cityofmadison.com) Traffic Engineering Shop, 4151 Nakoosa Trail. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
44. "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.
45. 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.
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 Mineral Point 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.

47. Note: The applicant has submitted the requested Traffic Impact Analysis and Traffic Demand Management Plan; these studies has been reviewed and accepted by Traffic Engineering.

48. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.

Fire Department (Contact Bill Sullivan, 866-4691)

49. .

Parks Division (Contact Ann Freiwald, 243-2848)

50. 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# 20046.1 when contacting Parks about this project.

Forestry Division (Contact Wayne Buckley, 266-4892)

51. 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.

52. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry (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.

53. 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.

54. Street tree pruning shall be coordinated with Madison Forestry at a minimum of two weeks prior to the start of construction for this project. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on the plan set.

55. 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.

56. 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.
57. 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 to be preserved or proposed to be removed and the reason for removal.
58. City Forestry will issue a street tree removal permit for (X) tree(s) (dbh) diameter (variety) tree due to (reason) at (location). Add as a note on the plan set..

Water Utility (Contact Jeff Belshaw, 261-9835)

59. The developer shall construct the public water distribution system and services required to serve the proposed subdivision plat/CSM per MGO 16.23(9)(d)(3).
60. All public water mains and water service laterals shall be installed by a standard City subdivision contract / CityDeveloper agreement. Applicant shall contact City Engineering Division to schedule the development of plans and the agreement. See Engineering Division comments for additional information.

Metro Transit (Contact Tim Sobota, 261-9835)

The agency reviewed this request and has recommended no conditions of approval