

PLANNING DIVISION STAFF REPORT

February 9, 2015

PREPARED FOR THE PLAN COMMISSION



Project Address: 740 University Avenue

Application Type: Conditional Use

Legistar File ID # [36620](#)

Prepared By: Timothy M. Parks, Planning Division

Report includes comments from other City agencies, as noted.

Summary

Applicant & Property Owner: University of Wisconsin–Madison, c/o Gary Brown, University Facility Planning & Management; 610 Walnut Street; Madison.

Requested Action: Approval of a conditional use to allow construction of a music performance facility at 740 University Avenue on the University of Wisconsin–Madison campus.

Proposal Summary: The University of Wisconsin–Madison is requesting approval of the first two phases of the 74,458 square-foot Hamel Music Center. Phase I of the project calls for 32,123 gross square feet of space on two levels that will include a 325-seat recital hall, rehearsal space and main lobby. Phase II of the building will add 42,335 gross square feet of space in a tall three-story building to be constructed off the north wall of the first phase, which will include 737-seat concert hall. Construction of Phase I is scheduled to commence in November 2015, with completion anticipated in spring 2017; construction of Phase II is dependent on fundraising, with no schedule for when it will commence.

Applicable Regulations & Standards: Section 28.097(2)(c) limits individual development within any five-year period for any property in the CI zoning district without an approved master plan to 4,000 square feet of gross floor area unless approved as a conditional use. Section 28.183 of the Zoning Code provides the process and standards for the approval of conditional use permits.

Review Required By: Plan Commission. The proposed conditional use was referred to the Urban Design Commission for an advisory recommendation pursuant to conditional use approval standard 9.

Summary Recommendation: The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use to allow construction of a music performance facility at 740 University Avenue subject to input at the public hearing and the conditions from reviewing agencies beginning on page 5 of this report.

Background Information

Parcel Location: An approximately 2.15-acre parcel located at the northwestern corner of University Avenue and N. Lake Street; Aldermanic District 8 (Resnick); Madison Metropolitan School District.

Existing Conditions and Land Use: Most of the subject site is a seeded lawn that extends between the University Avenue sidewalk and the University's existing Lot 3 parking lot, which occupies the middle of the site extending north to the UW Extension Building at 432 N. Lake Street. The subject site and adjacent campus properties are zoned CI (Campus-Institutional District).

Surrounding Land Use and Zoning:

North: UW Extension Building, zoned CI (Campus-Institutional District);

South: University Square (Lucky Apartments, Madison Fresh market, etc.), zoned PD;

West: Chazen Museum of Art, zoned CI;

East: The Varsity Apartments, Choles Floral, Associated Bank, zoned PD; State Street- Campus parking ramp, zoned UMX (Urban Mixed-Use District).

Adopted Land Use Plans: The Comprehensive Plan identifies the subject site and surrounding properties as part of the University of Wisconsin–Madison Campus. The Campus land use designation recognizes the “wide diversity of uses associated with the primary education mission” of institutions such as the University, including the proposed Music Performance Facility.

The Downtown Plan includes the subject site and other nearby University properties generally west of N. Lake Street in the Campus Neighborhood/ District. Recommendations for this district are limited, but the Downtown Plan emphasizes that development on the eastern end of the University campus continue to improve its interface with the rest of Downtown along and near its borders while making a clear and coordinated transition to campus (from Objective 4.13). Building heights up to 12 stories are recommended on the Maximum Building Heights Map for the 700-block of University Avenue.

Zoning Summary: The property is zoned CI (Campus-Institutional District). Planning and Zoning staff have reviewed the addition and determined that it will comply with the CI district bulk requirements.

Other Critical Zoning Items	
Yes:	Barrier Free, Utility Easements
No:	Landmarks, Wellhead Protection, Urban Design, Floodplain, Waterfront Development

Prepared by: Planning and Zoning staff

Environmental Corridor Status: This property is not located within a mapped environmental corridor (see Map E8).

Public Utilities and Services: The site is served by a full range of urban services, including daily Metro Transit service on University Avenue and Lake Street. Bus stop ID 0670 is adjacent the proposed project site, with the signed bus stop zone encompassing the area from intersection west approximately 120 feet. Bus stop ID 0926 is currently just north of the proposed project site, with the planned relocation southward upon project completion.

Previous Approval

On June 4, 2012, the Plan Commission approved a demolition permit to allow five commercial buildings located at 704-736 University Avenue to be demolished to accommodate future redevelopment by the University of Wisconsin–Madison with its future Music Performance Facility.

Project Description

The University of Wisconsin–Madison is requesting conditional use approval to allow construction of the first two phases of its 74,458 square-foot Music Performance Building, which will occupy an approximately 2.15-acre

parcel located at the northwestern corner of University Avenue and N. Lake Street currently occupied by a grass lawn and existing University parking lot. Five buildings that previously occupied the University Avenue frontage of the site were razed in 2012 following Plan Commission approval.

Phase I of the Hamel Music Center, which will commence construction later this year, calls for 32,123 square feet of space that will include a 325-seat recital hall and 3,100 square-foot rehearsal space. The building will extend from south to north across the site and will include a main lobby centered on the building's University Avenue facade. Most of the space proposed in the initial phase of construction will be located on the first floor at grade with the exception of a balcony on the second floor overlooking the recital space. As part of the implementation of Phase I, a 30-stall parking lot will be constructed along the north wall of the building, which also includes a loading zone for the performance facility. The new parking area will replace existing Lot 3 and will be served by a new driveway from N. Lake Street.

Phase II of the facility will add the remaining 42,335 square feet of space to the building. The second phase will feature a 737-seat concert hall at the center of the venue. Like the first phase, most of the space in the second phase will be located on the first floor. However, the second floor of Phase II will include a balcony overlooking the concert hall as well as office space and dressing rooms. The second phase of the music performance facility will include a partial third floor that will feature a second balcony and lobby for the concert hall. Construction of the second phase will require removal of the 30-stall parking area to be constructed in the first phase, with a relocated driveway to be built to provide egress to N. Lake Street for the subject site and other University and privately owned buildings located on the block, including Pres House and St. Paul's University Catholic Center.

The building architecture will be distinctly modern in character, with an exterior composed primarily of contrasting vertical precast concrete panels and metal shingles. The southern façade facing University Avenue will feature a prominent 30-foot tall curtain wall to frame the main public entrance to the facility, while clerestory windows are proposed above the ribbed walls at the southeastern corner of the building adjacent to the University-Lake intersection. The first phase of the building will stand 36 feet above grade except at the southeastern corner, where the height increases to 40 feet as measured to the top of the clerestory feature. Ultimately, the proposed building will stand approximately 60 feet in height above grade when measured to the parapet above the second phase concert hall addition, although most of that future volume will be recessed significantly into the center of the site along the eastern, southern and western sides of the building.

Looking into the future, the University has expressed interest in constructing a third phase of the music performance facility, which will extend further north along N. Lake Street to replace the UW Extension Building with additional new facilities for the School of Music. There are presently no plans for this future building project and no timeline for its construction. At such time as that project proceeds, Plan Commission approval to raze the existing building and conditional use approval for the music facility expansion will be required unless the University has a CI zoning district master plan approved by the Common Council that calls for the construction of this facility. The University is currently preparing an update to its 2005 Campus Master Plan, which it hopes to use as the foundation for a future City-approved CI zoning master plan. Adoption of the updated campus plan is anticipated by the University to occur in 2016, with the CI master plan to be adopted by the City concurrent with or subsequent to that approval.

Construction of the proposed music performance facility will require vacation/ discontinuance of the southern end of Fitch Court, a north-south City alley that bifurcates the 700-block of University Avenue and State Street. A separate request for the vacation/ discontinuance will be submitted for City approval prior to construction commencing. The vacation request and construction of the proposed building continues the implementation of the approved Transportation Access Master Plan (attached) prepared by the University and approved by the City

in 2009 to guide future development of the 700- and 800-blocks of University Avenue and State Street and the 400-block of N. Lake Street and East Campus Mall. The plan was also developed to begin to address various transportation-related needs at the intersection of University Avenue and N. Lake Street as the block redevelops. The 2009 plan conceptually calls for Fitch Court to be terminated as a through alley and partially vacated north of University Avenue as part of the construction of the music performance facility and future music education facility on the portion of the 700-block of University Avenue currently occupied by the UW Extension Building.

Ultimately, the University proposes to replace Fitch Court access to the properties in this block with a new access from N. Lake Street where the Extension Building is currently located. The ultimate solution for replacing Fitch Court with the new N. Lake Street block-wide access calls for a two-way public court to extend into the block from N. Lake Street. However, the plan includes interim access solutions that use a one-way loop that begins at N. Lake using the existing driveway between the UW Extension Building and University Bookstore/Calvary Student Center and existing Fitch Court before returning to N. Lake Street through Lot 3 to provide access to the various University and non-University uses located in this block. The development plans for the Phases I and II of the music performance facility appear to be consistent with the phased access scheme for this block, and should provide adequate fire and delivery access until the ultimate access plan is achieved for the block as part of the currently unscheduled Phase III of the School of Music projects.

Analysis and Conclusion

As part of the mapping of the new Zoning Code, most of the University campus was zoned into the CI (Campus-Institutional) zoning district, which was intended to provide a zoning district for the City's major educational and medical institutions, many of which were identified on the Generalized Future Land Use Maps in the Comprehensive Plan in either the Campus or Special Institutional districts. Previously, the subject site was zoned C2 (General Commercial District) under the 1966 code.

The CI zoning district encourages the adoption of master plans by the Plan Commission and Common Council to guide the future growth of those institutions, with individual development for any property without an approved master plan limited to 4,000 square feet of gross floor area within any five-year period unless approved as a conditional use. The CI district also includes a series of bulk requirements that apply to properties in that district without an adopted master plan (master plans can set individual, institution-specific bulk requirements as part of the approval of the plan). As noted in the preceding section, the University is working on an update to its overall master plan, which it hopes will also serve as the premise of its zoning master plan.

The Planning Division believes that the standards can be met for the conditional use to allow construction of the first two phases of the proposed music performance facility. On balance, the first two phases of the music performance facility should not have an adverse impact on the normal and orderly development and uses, values, enjoyment of surrounding properties, nor the ability of the City to provide services. However, given the prominence of the subject site at the eastern gateway to the University campus and at a key intersection where the campus interfaces with downtown, the Planning Division felt it important for the project to be reviewed by the Urban Design Commission as allowed under conditional use standard 9. That standard requires the Plan Commission to find that any new construction of a building or an addition to an existing building 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 met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission for comment and recommendation.

The Urban Design Commission reviewed the project at its December 17, 2014 meeting and provided an “initial approval of an advisory recommendation”. The report of that discussion is attached following this staff report. In its review of the UDC staff discussion, Planning staff inferred that the Commission felt that the project could be found to create an environment of sustained aesthetic desirability compatible with the existing or intended character of the area but that additional work on certain aspects of the project were necessary before it proceeded. During their discussion, members of the Urban Design Commission raised concerns about the eastern façade of the building along N. Lake Street, especially with the second phase building. On the plans submitted for City consideration, the eastern wall proceeds north along Lake from the precast panel and clerestory element at the southeastern corner in the first phase as a predominantly metal shingle-sided wall with a random window pattern at the second floor in the second phase.

When compared to the proposed treatment of the University Avenue façade and its prominent curtain wall, staff agrees that eastern façade of the building along N. Lake Street presents an underwhelming façade that needs improvement, especially at sidewalk level. Accordingly, staff recommends that approval of the conditional use request for the music performance facility be conditioned upon the submittal of the final plans for the second phase of the project to the Urban Design Commission for approval prior to construction of that phase. As it prepares its final plans for the second phase of the project, staff urges the University to work with the UDC to incorporate potential public art opportunities, material changes and vertical articulation of the lower approximately 40 feet of the building, and window openings along the first floor if possible, with the overall goal of creating a more visually interesting and better activated street wall along the N. Lake Street sidewalk.

In addition to the Urban Design Commission review of the project, the Joint Southeast Campus Area Committee voted unanimously at its January 5, 2015 meeting to recommend approval of the project to the UDC and Plan Commission, with the note that the UDC should carefully consider the proposed window pattern on the north side of the building.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use to allow construction of a music performance facility at 740 University Avenue subject to input at the public hearing and the following conditions:

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

Planning Division

1. The final plans shall be revised prior to the issuance of any City permits or utility connection requests to dimension the height of every floor of the building in both phases from the highest point (roof above hall) to grade.
2. That prior to commencement of construction of Phase II of the Music Performance Building, the University receive approval from the Urban Design Commission of the final exterior design of that phase. It is recommended that as part of the Phase II exterior approval, the eastern façade be designed to incorporate potential public art opportunities, material changes and vertical articulation of the lower approximately 40 feet of the building, and window openings along the first floor if possible, with the overall goal of creating a more visually interesting and better activated street wall along the N. Lake Street sidewalk.

City Engineering Division (Contact Janet Dailey, 261-9688)

3. Update full street name on all sheets to "N. Lake Street."
4. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction or for any proposed work in the right of way necessitated by this project. When the recorded CSM image is available from the ROD, the City Assessor's Office can create the new Address-Parcel-Owner (APO) data in GEO so that the permitting system can upload this data and permit issuance made available for this new land record.
5. A portion of Fitch Court (alley) will need to be discontinued/ vacated to permit development of the site as proposed with this application. The applicant shall provide written petition for the partial discontinuance of the portion of Fitch Court within this site of all of the owners abutting the portion Fitch Court to be discontinued and more than one-third of the frontage of the lots and lands abutting the remainder of Fitch Court. A Lis Pendens shall be recorded and a copy provided as required per Section 840.11, Wisconsin Statutes.
6. A Public Ingress/ Egress Easement shall be provided for public access and fire lane purposes through the aisles of the proposed parking lot from the south end of Fitch Court to remain as a public alley through to N. Lake Street. This public easement is anticipated to be modified and relocated upon the approval and construction of Phase 2 of this development. The easement shall be maintained by the UW.
7. The applicant will be required to enter into a Developer's Agreement for the proposed work anticipated in the right of way(s), including but not limited to the abandonment and relocation of public utilities, and the construction of the turn lane on N. Lake Street. The applicant shall be responsible for reconstruction and relocation of the sidewalk and curb and gutter on N. Lake Street, new sidewalk on University Avenue, and work associated with the street vacation of Fitch Court while the City shall participate in the paving of N. Lake Street. If the applicant cannot or is unwilling to enter into a developer's agreement, the City may allow the construction under a permit to excavate in the right of way. The permit would require deposits for all staff time, inspection, permitting, and other costs incurred by the City for this development. Proof of proper bonding shall also be required.
8. Changes proposed to the right of way as necessitated by this project are required to obtain Board of Public Works and Common Council approval.
9. For the owner's protection against future damage to private infrastructure, all unused sewer within the project limits should be removed or properly abandoned to the specifications of the City Engineer.
10. This project will require coordination with the St. Paul's redevelopment project on State Street. A meeting with City staff and the appropriate representatives from St. Paul's and the UW is suggested to ensure that the access needs for both projects have been coordinated.
11. The applicant shall dedicate right of way on N. Lake Street as required by the City Engineer and the City Traffic Engineer for the proposed turn lane. This shall be accomplished with the pending CSM.

12. The City of Madison does not have jurisdiction over permitting for erosion control or stormwater management over the University. The University shall provide copies of all erosion control and stormwater permits as obtained from the Wisconsin Department of Natural Resources (DNR).
 13. The crosswalk at the corner of N. Lake Street and University Avenue shall be a Type II ramp.
 14. Modify the plans to include all property and right of way lines on all sheets.
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15. The approval of this Conditional Use does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
 16. The applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
 17. The applicant shall replace all sidewalk and curb and gutter that abuts the property that is damaged by the construction, or any sidewalk and curb and gutter, which the City Engineer determines needs to be replaced because it is not at a desirable grade, regardless of whether the condition existed prior to beginning construction.
 18. The applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.
 19. The applicant shall provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
 20. The applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the City. The stone used for the exposed aggregate shall be approved by the City. The Construction Engineer shall be notified prior to beginning construction. Any work that does not match the adjacent work or which the City Construction Engineer finds is unacceptable shall be removed and replaced.
 21. All work in the public right of way shall be performed by a City-licensed contractor.
 22. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl, of the Parks Division - dkahl@cityofmadison.com or 266-4816. Approval and permitting of any tree removal or replacement shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
 23. All damage to the pavement on N. Lake Street and University Avenue, adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.

24. This project falls in the Rock River TMDL Zone and is subject to increased erosion control enforcement as authorized by Resolution 14-00043 passed by the Common Council on January 21, 2014. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the Wisconsin Department Natural Resources (WDNR).
25. The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used.
26. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-ton per acre per year.
27. Effective January 1, 2010, the Department of Commerce's authority to permit commercial sites, with over 1 acre of disturbance, for stormwater management and erosion control has been transferred to the Department of Natural Resources (WDNR). The WDNR does not have an authorized local program transferring this authority to the City of Madison. The City of Madison has been required by the WDNR to continue to review projects for compliance with NR-216 and NR-151 but a separate permit submittal is now required to the WDNR for this work as well. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. As this site is greater than 1 acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the Wisconsin Department of Natural Resources, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement.
28. This project will require a concrete management plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office.
29. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
30. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
31. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering signoff.
32. Prior to final approval of the demolition permit, the owner shall obtain a permit to plug each existing sanitary sewer and/ or storm sewer lateral that serves a building that is proposed for demolition. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing lateral that serves a building which is proposed for demolition. For each lateral to be plugged, the owner shall complete a

sewer lateral plugging application and pay the applicable permit fees. Note: New plugging procedures and permit fees are in effect as of January 1, 2013.

33. 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.
34. City of Madison Environmental Projects Staff have reviewed the subject site and determined that a Phase I ESA **will** be required of the applicant. The applicant shall provide one (1) digital and one (1) hard copy of an ASTM Phase I ESA prepared by an environmental professional. Staff review of this Phase I ESA will determine if further investigative Phase II ESA is also required. Please submit any relevant Phase I and Phase II ESAs to Brynn Bemis (608-267-1986, bbemis@cityofmadison.com) for further review.

Traffic Engineering Division (Contact Eric Halvorson, 266-6527)

35. Prior to sign-off, provide copy of cross-access agreement for all properties impacted by the vacation of Fitch Court.
36. Prior to sign-off, provide a construction access plan for 723 State Street.

37. The applicant shall submit one contiguous plan 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 2 feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
38. 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.
39. 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.
40. All parking facility design shall conform to the standards in MGO Section 10.08(6).

Zoning Administrator (Contact Pat Anderson, 266-5978)

This agency did not provide comments for this request.

Fire Department (Contact Bill Sullivan, 261-9658)

41. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances. Coordination of the aerial lanes with the street trees and permission to use the public streets will be necessary prior to final site approval.

Water Utility (Contact Dennis Cawley, 261-9243)

42. Note: All operating private wells shall be identified and permitted and any unused private wells shall be abandoned by the Madison Water Utility in accordance with MGO Section 13.21.

Parks Division (Contact Kay Rutledge, 266-4714)

43. Forestry will permit the Elm removal closest to Fitch Court (newly planted), and the Ginkgo (poor condition) near the center of the University Avenue frontage. The removal of the elm closest to Lake Street on University Avenue will not be permitted until the developer provides information for why it needs to be removed. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to final approval of the site plan. Please reference ID# 15107 when contacting Parks Division staff about this project.
44. All street tree planting locations and trees species within the right of way shall be reviewed by City Forestry. Please submit a site plan (in PDF format) to Dean Kahl – dkahl@cityofmadison.com or 266-4816. Approval and permitting of tree planting shall be obtained from the City Forester and/or the Board of Public Works prior to final approval of the site plan. Tree planting specifications can be found in Section 209 of *City of Madison Standard Specifications for Public Works Construction*.
45. Existing 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 protection specifications can be found in Section 107.13 of *City of Madison Standard Specifications for Public Works Construction*.

46. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.

Metro Transit (Contact Tim Sobota, 261-4289)

47. The applicant shall coordinate with Metro Transit staff the removal and relocation of the existing passenger waiting shelter on the north side of University Avenue, west of N. Lake Street, prior to construction.
48. The applicant shall protect the relocated passenger waiting shelter and existing curbside bus loading zone and sidewalk pedestrian access to transit vehicles during construction. Pedestrian access must be maintained along the entire block face of University Avenue, between N. Lake Street and East Campus Mall, and must comply with standards set out by the Americans with Disabilities Act.
49. The applicant shall install and coordinate the maintenance for a new passenger waiting shelter with seating amenity on the west side of N. Lake Street, north of University Avenue. The bus shelter should be installed a sufficient distance north of the intersection such that a stopped bus could depart the stop and proceed into the center through lane crossing University Avenue on southbound Lake Street. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review and approve the design.

50. The applicant might consider additional transit amenities on the property adjacent these bus stop zones, such as a trash receptacles or added benches, in finalizing their landscape plan.

METRO EXHIBIT

