



Report to the Plan Commission

January 10, 2011

Legistar I.D. # 20625
1012 Fish Hatchery Road
Zoning Map Amendment (PUD)

Report Prepared By:
Kevin Firchow, AICP
Planning Division

Requested Action: Approval of a revised general development plan (GDP) at 1012 Fish Hatchery Road to allow the future construction of a 63-unit apartment building.

Applicable Regulations & Standards: This project is subject to the standards for zoning map amendments and planned unit developments. Section 28.12 (9) provides the process for zoning map amendments. Section 28.07 (6) provides the requirements and framework for planned unit developments.

Summary Recommendation: Subject to input at the public hearing, should the Commission find the proposed project is in conformance with the standards for approval of zoning map amendments and planned unit developments, the Planning Division recommends that the Plan Commission forward Zoning Map Amendment 3461, rezoning 1012 Fish Hatchery Road from C3 (Highway Commercial District) to PUD-GDP (Planned Unit Development-General Development Plan) to the Common Council with a recommendation of approval, subject to the recommended conditions.

Background Information

Applicant: Tom Sather; Silverstone Partners, Inc. 7447 University Avenue, Suite 210; Middleton, WI 53562
Agent / Contact: Randy Bruce; 7601 University Avenue, Suite 201; Middleton, WI 53562
Property Owner: Wingra Point, LLC; 980 N. Michigan Avenue, Suite 1280; Chicago, IL 60611

Proposal: The applicant proposes to rezone the subject property to allow for the future construction of a four-story, 63-unit apartment building. Only the general development plan (GDP) is before the Plan Commission at this time. This is a revised GDP application. A previous GDP application for a very similar building with 62 senior housing units was recommended for approval by the Plan Commission on December 14, 2009 and approved by the common Council on January 5, 2010. A link to those materials can be found at the following link: <http://legistar.cityofmadison.com/detailreport/?key=18395>

Parcel Location: The subject property is near Fish Hatchery Road's intersection with Park Street, between High and South Brooks Streets. The site has a total area of 33,000 square feet (0.76 acres). The site is located within Aldermanic District 13; Urban Design District 7; and the Madison Metropolitan School District.

Existing Conditions: The site includes a surface parking lot that formerly served the Bancroft/Morningstar Dairy property.

Surrounding Land Use and Zoning: The surrounding area includes a mix of uses. Single-family residences, zoned R2 (Single-Family Residence District) are located immediately east and southeast of the subject site. South of this property along Fish Hatchery road are small three and four unit multi-family buildings and a single-family home. The former Bancroft Dairy facility sits across Fish Hatchery Road and is zoned C3 (Highway Commercial).

Adopted Land Use Plan: The Comprehensive Plan recommends low-density residential uses (with a density of 0-15 dwelling units per acre) for the subject site. The property falls along the boundary of areas recommended for low-density residential, medium-density residential, and community mixed use development. The Wingra Creek Build Plan, recommends the subject site for medium-density residential development. While a specific definition of medium density is not provided in this plan, medium density development examples in this document have an approximate density of 40 units per acre.

The subject site is located across Fish Hatchery Road from the rest of the “Bancroft Dairy” property, identified as a redevelopment site in several City-adopted land use plans. As part of the previous GDP approval, the Common Council included a Plan Commission-recommended condition stating that the subject property should be considered part of this “Bancroft” site for purposes of evaluating Plan consistency. The “Bancroft” site is recommended for “high-density residential” or “lodging with first floor commercial” in the Wingra Creek Build Plan and community mixed use in the Comprehensive Plan.

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.

Public Utilities and Services: This property is served by a full range of urban services.

Zoning Summary: This project is being rezoned to the **(PUD)** district. There are no predetermined bulk requirements, and as such, zoning staff have reviewed this proposal based on the criteria for the R5 district because of the surrounding land uses.

Requirements	Required	Proposed
Lot Area	69,800 sf	33,000 sf
Lot width	50 ‘	275 ‘
Usable open space	15,680 sf	Not Shown (See Condition # 34)
Front yard	20’	6’
Side yards	8’ min one side / 20’ total	6’ right side / 12’ total
Rear yard	30’ or 55% of Building Height	29’
Floor area ratio	2.0	2.06
Building height	3 stories / 40’	4 Stories
Number parking stalls	88	63 underground, 2 surface
Accessible stalls	3	3 (See Condition # 29)
Loading	1 (10’ x 35’) area	1 (See Condition # 30)
Number of Bike Parking Stalls	70	70 (See Condition #32)
Landscaping	As shown	Adequate
Lighting	Yes	(See Condition #31)
Other Critical Zoning Items	Urban Design District, Barrier Free (ILHR 69)	
	Table Prepared by Pat Anderson, Assistant Zoning Administrator	

Project Review

This is a revised General Development Plan (GDP) application. A rezoning from C3 (Highway Commercial District) to PUD-GDP (Planned Unit Development-General Development Plan) was approved by the Common Council on January 5, 2010. (The Plan Commission unanimously recommended approval on December 14, 2009.) That approval allowed the future development of a four-story, 62-unit senior housing development. One of the approved conditions required that a revised GDP be approved prior to the project proceeding as anything other than a restricted-income senior housing project consistent with the approved plans.

The amended GDP now before the Plan Commission would allow for the future construction of a four-story, 63-unit apartment building. The most notable alteration is the conversion of the development from senior housing to non-age restricted units. The building and site plans are very similar to what was previously approved with the most prominent physical change being the expansion of the underground parking area to yield an additional 14 parking stalls.

While the plans are relatively detailed, the applicant seeks only general development plan (GDP) approval at this time. Approval of a specific development plan (SIP) would be required prior to the applicant being able to begin construction.

Existing Conditions and Surrounding Context

The subject site is a 33,000 square feet (0.76 acre) property now used as utilized as a surface parking lot. The site is bounded by Fish Hatchery Road, South Brooks Street, and High Street, and is just south of Fish Hatchery Road's intersection with Park Street. Smaller one and two-story single-family residences are located adjacent and west of the site. The former Morning Star/Bancroft Dairy is located across Fish Hatchery Road, east of the subject site.

The subject property is within Urban Design District 7. Unlike many other adopted design districts, this district provides very prescriptive design standards for many building and site elements. The Urban Design Commission (UDC) granted final approval in December 2010. The setback and stepback standards in this district relate primarily to street orientation. However, they do not provide detailed standards to guide the transition to adjoining residential areas.

Zoning Map Amendment Request

The proposed building in the revised GDP includes 63 total dwelling units. The building is intended to provide non-age restricted "workforce housing" under the WHEDA Section 42 tax-credit program with 56 of the 63 units being "affordable" income-restricted units under the program. The remaining seven (7) units would be "market-rate" apartments. Staff understands that if approved, the WHEDA application will be made in early 2011. Construction is anticipated to start in spring 2011.

The proposed building includes 35 one-bedroom units, 21 two-bedroom units, and seven (7) three-bedroom units. In total, the building will have 98 bedrooms, ten (10) more than proposed under the original senior housing GDP.

The proposed building occupies much of the subject site and is generally set back six (6) feet from Fish Hatchery Road, though several recesses in the front façade provide additional space adjacent to the sidewalk. Both the South Brooks and High Street facades are set back six (6) feet from the frontage, though the corners of the building have greater setbacks. The rear of the building is approximately 28 feet from the westerly property line.

The building is primarily four stories in height, though portions of the façade closest to Brooks and High Street are stepped-down to three stories. The rear building wall closest to nearby residences is four stories, though a rear courtyard provides a further recess toward the center of that façade. The primary exterior material is a brick veneer with portions of the upper floors clad in a vertical siding and other materials not identified on the plans. Further material labeling will be required as part of the approval of an SIP.

The individual units will be accessed from internal hallways. Typical one-bedroom units are roughly 700 square feet in area. The two-bedroom apartments have an approximate area of 1,000 square feet and three-bedroom units are typically over 1,200 square feet.

A total of 66 vehicular parking stalls are proposed, 63 of which are underground. Access to the underground parking is provided from South Brooks Street. The revised underground parking area has been expanded beneath the rear yard, yielding an additional 14 stalls from what was previously approved. The above yard has been redesigned as a hard-scaped patio. The applicant has provided correspondence estimating 58 stalls are needed to serve the residents. The number of parking stalls available guests is being reduced from 10 in the original proposal to eight (8). This includes three (3) surface stalls on the south side building, accessed from High Street. There will be 70 bicycle parking stalls provided including 24 located in the rear patio and 46 located underground.

The conceptual landscape plan includes perimeter planting areas with a combination of shrubs, perennials, and ground cover organized within a series of “arched-shaped” planting beds. As a GDP, the exact species and planting locations have not yet been specified but would need to be provided as part of an SIP submittal.

Project Analysis

Planned Unit Developments are intended to promote improved environmental and aesthetic design by allowing for greater freedom, imagination, and flexibility compared to conventional zoning districts. Considering the general zoning map amendment standards, if the Plan Commission approves this proposal, it would need to make a finding that the adoption of this rezoning is in the public interest and is not solely for the interest of the applicant. In making their recommendation to the Council, the Commission will also need to find that the request is consistent with the Comprehensive Plan. The Planned Unit Development approval criteria include the character and intensity of land use, economic impact, maintenance of open space, and the implementation schedule.

As a General Development Plan (GDP) the Plan Commission is usually considering the “basic” entitlements including the building bulk, mass, and density. Although in this case, the application includes many design details. Other details of the project including a detailed landscape plan and final elevation drawings would need to be provided as part of a future SIP (Specific Implementation Plan) submittal.

Conformance with the Adopted Plans

The Zoning Ordinance states the Plan Commission shall not recommend a proposed zoning map amendment without due recognition of the master plan (now the Comprehensive Plan). In addition, the State’s “Consistency Requirement” requires zoning map amendments to be consistent with the City’s adopted Comprehensive Plan. The definition of consistency has recently been defined in the state statutes to mean “furthers or does not contradict the objectives, goals, and policies contained in the Comprehensive Plan.”

As with the original GDP, staff believe this proposal is consistent with some, but not all aspects of all adopted plans for the area. With a proposed density of 84 dwelling units per acre, the project is more intense than what was originally envisioned in both the Comprehensive Plan and the Wingra Creek Market Study and Conceptual Redevelopment Plan (“Wingra Creek BUILD”). In considering the statutory consistency requirement, while the proposal includes density above what is recommended in the plans, staff believes that the Plan Commission could make a finding that it does not directly contradict the Comprehensive Plan’s objectives, goals, and policies. Specific considerations are noted below.

The subject site is at the edge of an area recommended for low-density residential development. Large-scale apartment buildings, such as the one proposed, are generally recommended in areas designated for “medium” or “high-density residential” development. However, the plan provides some flexibility noting that small areas of higher density may be consistent with this recommendation when they conform to recommendations in an adopted neighborhood or special area plans. As detailed below, the Wingra Creek BUILD plan recommends medium-density residential development for the subject property and high-density development for the surrounding “Bancroft Dairy” redevelopment site.

The subject site is also adjacent to areas recommended for more intensive development including community mixed use and medium-density residential development. The plan includes language that the maps are generalized and not intended to apply at a parcel-by-parcel scale:

The (Land Use Plan) maps are a representation of the recommended pattern of future land uses at a large scale, and is not intended for application on a parcel-by-parcel basis; nor should it be interpreted as similar to a zoning district map. Recommended land uses are generalized in that the exact boundaries between one land use category and another are often only approximate, the range of different land uses and development densities encompassed within the use district definitions is relatively large, and all of the districts may include a variety of land uses in addition to the primary use. (*Comprehensive Plan – Volume II, p.2-77*)

Staff also note that the previous GDP was approved with a Plan Commission-recommended condition clarifying the relationship between this property and plan recommendations stating:

For the purposes of evaluating this proposal for consistency with adopted plans, this site shall be considered part of the Bancroft Dairy site (property between Park Street and Fish Hatchery Road) and is not part of the adjoining residential neighborhood. Approval of this building does not establish a precedent allowing the encroachment of larger buildings into the adjacent residential neighborhood. (*Condition 39, January 7, 2010 approval letter*)

The more site-specific “Wingra Creek BUILD” plan adopted in 2005, recommends “medium-density residential” development on the subject site and “high-density” residential on the “Bancroft Dairy” property on the opposite side of Fish Hatchery Road. While a specific definition of medium density is not provided, medium density development examples in the plan have an approximate density of 40 units per acre. A specific recommendation for the “high-density Bancroft Dairy” site states the “target density” is between 30 and 50 units per acre.

That plan provides additional “findings and recommendations” relating to the review of this proposal. One such point states that “residential densities higher than those in the surrounding neighborhood would be required to support improved public transit and more retail expansion.” Another point recognizes the “strong potential for additional “work force housing” within the project area. The plan also notes that “while higher densities are recommended for the Wingra BUILD project area, the treatment of the edges needs to be sensitive to adjoining residential neighborhoods.”

Design and Character Considerations

The revised plans are substantially similar in bulk, mass, and design to the project approved earlier this year. As such, staff's design comments are similar to those raised in the previous report. Aside from the changes to the building's interior, the most notable design difference is the expansion of the underground parking under the rear yard and the corresponding redesign of the yard area into a formal hard-scaped patio.

As with the previous proposal, staff's primary issue remains the relationship of the proposed building to the smaller adjacent single-family residences. Much of the building's four-story mass is located approximately 28 feet from the adjoining property line. During the review of the senior housing proposal, the applicant revised the plans to address the relationship between the proposed building and surrounding neighborhood. This plan set includes those revisions. The Brooks Street façade is stepped down to three stories and a sizeable portion of the building frontage along High Street has been eliminated. The rear wall of the building includes a fairly large recess, organized as a small courtyard. In addition, a patio spans the back of much of the property. Notwithstanding these changes, staff continue to believe a further reduction of the mass at the rear of the building would provide a more appropriate transition to the adjoining homes and would better address the PUD approval standard related to character and intensity. However, the design is substantially similar to that approved for the senior housing proposal. Staff also note the UDC has again granted final approval of this GDP and their report is attached.

Finally, as previously requested, staff request revisions to the landscape plan to provide additional plantings along the Brooks Street façade to better screen the base of the parking structure.

Parking Considerations

With the revised proposal, the applicant is providing an additional 14 vehicular parking spaces from the previous senior-housing submittal. In total, there are 66 parking stalls to serve residents and visitors. Follow up correspondence indicates that eight (8) stalls will be reserved for visitor parking. This would leave 58 stalls reserved for residents. While there is no parking requirement for PUDs, a comparable development with conventional zoning would be required to have 88 total stalls.

The applicant believes that the proposed parking would be adequate based on their analysis of some comparable projects and other assumptions. One key assumption is that 25% of the dwelling units in the proposed building will be occupied by senior residents with a reduced demand for parking. Based on a different senior housing development, the applicant notes that there were 0.46 automobiles per dwelling unit. The applicant anticipates a similar parking demand for senior tenants at this development. Staff note that this is a development assumption and at this time, the applicant is not formally age-restricting any portion of the development for senior housing. For the remaining 75% of dwelling units, the applicant indicates they are providing roughly one (1) parking stall per unit, comparable to the observed parking demand for other projects noted in their analysis.

Other supplemental data from the applicant shows that two other similarly-sized (non-age restricted) section 42 projects near Downtown were approved with less off-street parking (and a lower ratio of parking stalls per bedroom) compared to this project. Staff note this project is located along bus lines and is in close proximity to several large employers. The project is also within a residential parking permit area and the report from Traffic Engineering recommends their standard condition to not issue on-street parking permits to residents of this building. As such, the Planning Division is not recommending additional parking conditions at this time.

Conclusion

The applicant requests approval of a revised Planned Unit Development – General Development Plan (PUD-GDP) to allow for the future construction of a four-story, 63-unit building for “work-force” housing. A PUD-GDP for a very similar building with 62 senior-housing units was approved in January 2010. With this revised submittal, the applicant seeks to remove the senior age-restriction component. The most prominent physical change is expansion of the underground parking area to yield additional parking stalls.

The property is currently a large surface parking lot and staff is supportive of efforts to redevelop this underutilized property. In evaluating this specific request, staff note that like the previous proposal, this GDP is consistent with some, but not all aspects of the adopted plans for the area. The project has a proposed density of 84 dwelling units per acre, in excess of that recommended in both the Comprehensive and Wingra Creek BUILD Plans. While there is some flexibility with those recommendations, staff believe that this revised proposal remains more intense than what was envisioned in either of those plans.

Also like the previous submittal, staff believe that a further reduction in the building’s rear mass would provide a better transition to the adjoining homes and would better address the PUD approval standard related to character and intensity. Staff note that the applicant made several revisions during the previous review to address this relationship and this plan set includes those improvements. As such, the Plan Commission may again be able to find the proposal meets the applicable design-related standards. The Urban Design Commission granted final approval of the GDP in December 2010 and their report is attached.

In review of the previous proposal, staff could not definitively conclude that all of the applicable standards were met, but noted that the Plan Commission may be able to make such a finding based on the submitted materials, UDC recommendation, and input provided at the public hearing. With the revised GDP proposal, staff again believes this to be the case.

Recommendations and Proposed Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division Recommendation (Contact Kevin Firchow, 267-1150)

Subject to input at the public hearing, should the Commission find the proposed project is in conformance with the standards for approval of zoning map amendments and planned unit developments, the Planning Division recommends that the Plan Commission forward Zoning Map Amendment 3461, rezoning 1012 Fish Hatchery Road from C3 (Highway Commercial District) to PUD-GDP (Planned Unit Development-General Development Plan) to the Common Council with a recommendation of approval, subject to the recommended conditions.

1. That the applicant revises the conceptual landscape plan to provide further plantings (or other treatments) to partially screen the exposed foundation walls in areas on South Brooks and the northern corner of Fish Hatchery Road where the setback is six feet from the sidewalk. The design and materials used to clad these exposures shall be addressed in the SIP.

The following conditions have been submitted by reviewing agencies:

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

2. The approved address for this site is 1033 High Street as indicated in the Planning Unit PUD-GDP approval letter dated January 7, 2010. All future plan applications submittals and approvals shall use the 1033 High Street address.
 3. Any tree removal in the right-of-way will require approval and permitting through Forestry.
 4. The entrance to the underground parking shall have a drain system designed by a Professional Engineer or Master Plumber and shall be capable of safely handling the 100-year (6") rain event. The design shall be submitted to City Engineering for approval.
 5. Prior to approval, provide projected sanitary sewer flows to the City Engineer. The City Engineer shall determine if there is adequate reserve capacity to serve this lot.
-
6. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project. (MGO 16.23(9)c)
 7. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass. (POLICY)
 8. Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation. The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. (MGO 16.23(9)(d)(6) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
 9. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which 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. (POLICY)
 10. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5 and MGO 23.01)
 11. 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 City Parks Department - dkahl@cityofmadison.com or 266-4816. (POLICY)
 12. All damage to the pavement on High Street or Fish Hatchery Road adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link:
<http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)

13. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
14. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required. (NOTIFICATION)
15. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)) PDF submittals shall contain the following information: a) building footprints, b) internal walkway areas, c) internal site parking areas, d) lot lines and right-of-way lines, e) street names, f) stormwater management facilities, g) detail drawings associated with stormwater management facilities (including if applicable planting plans).
16. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. MGO 37.05(7) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
17. Prior to approval of the application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner. (POLICY) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
18. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) 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))
19. 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. (POLICY)

Traffic Engineering Division (Contact John Leach, 267-8755)

20. The applicant may need to modify High Street approaches to accommodate truck services. The applicant will need to submit diagram demonstrating single unit truck turning ingress/egress the site. The applicant may consider relocation the truck loading area on the site.
21. The applicant should explore screening on the east side of the property line for adjacent residential home and across the street. The applicant should demonstrate vehicle light landscaping screening to prevent vehicle headlights for residential homes adjacent and across the street when site plans are submitted.

22. A condition of approval shall be that no residential parking permits shall be issued for 1012 Fish Hatchery Road, this would be consistent with other projects in the area. In addition, the applicant shall inform all tenants of this facility of the requirement in their apartment leases and record in zoning text. The applicant shall note in the Zoning Text that no residential parking permits shall be issued. In addition, the applicant should submit for 1012 Fish Hatchery Road a copy of the lease noting the above condition in the lease when submitting plans for City approval. Please contact William Knobeloch or Bill Putman, Parking Utility at 266-4761 if you have questions regarding the above items
23. When the applicant submits final plans of one contiguous plan for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, showing all easements, all pavement markings, building placement, and stalls, adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
24. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
25. The intersection shall be so designed so as not to violate the City's sight triangle preservation requirement which states that on a corner lot no structure, screening, or embankment of any kind shall be erected, placed, maintained or grown between the heights of 30 inches and 10 feet above the curb level or its equivalent within the triangle space formed by the two intersecting street lines or their projections and a line joining points on such street lines located a minimum of 25 feet from the street intersection in order to provide adequate vehicular vision clearance.
26. The Developer shall post a deposit and reimburse the City for all costs associated with any modifications to Traffic Signals, Street Lighting, Signing and Pavement Marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
27. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Zoning Administrator (Contact Pat Anderson, 266-5978)

28. Meet applicable State building codes and building setback requirements.
29. Parking requirements for persons with disabilities must comply with City of Madison General Ordinances Section 28.11 (3) 6.(m) which includes all applicable State accessible requirements, including but not limited to:
 - a. Provide a minimum of three accessible stall striped per State requirements, (1 on surface lot and 2 in the underground lot). The stall shall be a van accessible stall 8' wide with an 8' striped out area adjacent with no physical barriers within the striped out area.
 - b. Show signage at the head of the stall.
 - c. Show the accessible path from the stall to the elevator.
30. Parking & Loading shall comply with City of Madison General Ordinances Section 28.11 (4). Provide one 10' x 35' loading area with 14' vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space. This location shall be approved by Traffic Engineering.

31. Lighting is required and shall be in accordance with City of Madison General Ordinances Section 10.085. Provide a plan showing at least .5 foot candle on any surface on any lot and an average of .75 footcandles. The max. light trespass shall be 0.5 fc at 10 ft from the adjacent lot line. (See City of Madison lighting ordinance).

32. Bike parking shall comply with City of Madison General Ordinances Section 28.11.

Provide 57 bike parking stalls and adequate scooter parking in a safe and convenient location on an impervious surface with a 5 foot access aisle to this area and to be shown on the final plan. It appears that the bike stalls along Fish Hatchery Road are in the road right of way, show bike stalls clearly out of right of way and details of the bike racks on the SIP site plans. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.

33. 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.

34. Provide useable open space calculations with details as well as building elevations of all 4 sides to be on site plans submitted for SIP approval.

Fire Department (Contact Bill Sullivan, 261-9658)

35. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

36. Coordinate address with City Engineering.

Parks Division (Contact Kay Rutledge, 266-4714)

37. Parks fees will be determined at the time of review of the PUD (SIP) submittal associated with this property. Required fees for the 63 multifamily residential units will be based on the fee structure in place at that time the fees are paid, which shall be prior to the issuance of building permits.

Water Utility (Contact Dennis Cawley, 261-9243)

38. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. This property is not in a Wellhead Protection District. The Water Utility will not need to sign off the final plans, but not need a copy of the approved plans.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency indicated to Planning staff there were no comments on this proposal.