

PLANNING DIVISION STAFF REPORT

January 11, 2021



Project Address: 817 Williamson Street (6th Aldermanic District – Ald. Rummel)
Application Type: Demolition Permit & Conditional Use
Legistar File ID #: [63206](#)
Prepared By: Sydney Prusak, AICP, Planning Division
Report includes comments from other City agencies, as noted.
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant

& Property Owner: Brandon Cook; John Fontain Inc.; P.O. Box 694; Madison, WI 53701

Contact: Kevin Burow; Knothe & Bruce Architects; 7601 University Avenue; Middleton, WI 53562

Requested Action: Approval of demolition permit to allow the demolition of a one-story commercial building and the following conditional uses in the Traditional Shopping Street (TSS) Zoning District: 1) A mixed-use or multi-tenant building exceeding 25,000 square-feet in floor area; 2) A mixed-use building with non-residential uses occupying less than 75 percent of the ground-floor frontage facing the primary street; and 3) A mixed-use building with non-residential uses constituting less than 75 percent of the building's ground-floor area all to construct a three-story mixed-use building with approximately 775 square feet of commercial space and 19 apartments.

Proposal Summary: The applicant proposes to demolish a one-story commercial building and construct a three-story 26,776-gross-square-foot mixed-use building with 19 residential units, 775-square-feet of commercial space, and 17 underground parking stalls at 817 Williamson Street. Project construction is anticipated to begin in the spring of 2021, with projected completion in the spring of 2022.

Applicable Regulations & Standards: This proposal is subject to the standards for Demolition and Removal Permits [MGO §28.185] and Conditional Uses [MGO §28.183(6)]. This project required a Certificate of Appropriateness from the Landmarks Commission for the land combination, demolition, and new construction in the Third Lake Ridge Historic District [MGO §41.18 & MGO §41.23].

Review Required By: Plan Commission (PC). The City's Preservation Planner determined that this request was consistent with the previous findings approval by the Landmarks Commission previously and administratively approved this request on behalf of the Commission in compliance with the Designee Review process established in the Landmarks Commission Policy Manual.

Summary Recommendations: The Planning Division recommends that the Plan Commission find the standards met and **approve** the demolition and conditional use requests to construct a three-story mixed-use building at 817 Williamson Street. These recommendations are subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Background Information

Parcel Location: The subject site is a 12,870-square foot (approximately 0.30-acre) parcel is located on the southeast side of Williamson Street between the S Livingston Street and S Paterson Street intersections. The subject site is within Aldermanic District 6 (Ald. Rummel) the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site contains a one-story commercial building and surface parking lot.

Surrounding Land Uses and Zoning:

Northeast: A mix of two-story residential and commercial uses, zoned Traditional Shopping Street (TSS);

Southeast: A mix of two-story residential and commercial uses, with a three-story mixed-use building at the S Livingston Street intersection, zoned TSS;

Southwest: Three and four-story mixed-use and residential buildings, zoned Planned Development (PD); and

Northwest: A one-story commercial building, with two-story multi-family dwellings beyond, zoned TSS.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Neighborhood Mixed Use (NMU) for the site, which calls for buildings between two and four stories and up to 70 dwelling units per acre (du/ac). The [Williamson Street BUILD Plan](#) (2004) includes the subject site in Height Zone I for new construction, which recommends, “New buildings shall be no higher than 2-1/2 stories.” This Plan also contains design standards for new construction in terms of building placement, materials, and overall massing. Lastly, the [Marquette-Schenk-Atwood Neighborhood Plan](#) (1994) lists this site in Target Study Area “B”, which the Plan refers to as the *downtown commercial district*. According to this Plan, “The character and personality of this downtown commercial area is different than that of the *neighborhood shopping core* in that it is less intimate and more public, thus serving downtown workers first and neighborhood consumers second.” In regards to residential uses in this Area, the Plan recommends to “encourage the construction of residential dwelling units or office space on any floor above the ground floor” (p. 15).

Zoning Summary: The subject property is zoned Traditional Shopping Street (TSS) District and Historic Third Lake Ridge (HIS-TL) District.

Requirements	Required	Proposed
Front Yard Setback	25’ maximum	3.7’
Side Yard Setback: Where proposed buildings or abutting buildings have window openings in side wall(s) within 6 feet of lot line	Two-story or higher: 6’	6.14’ northeast 6.14’ southwest
Rear Yard Setback	The lesser of 20% of lot depth or 20’	20.17’ (43)
Usable Open Space	40 sq. ft./unit (760 sq. ft.)	3,020 sq. ft. (41)
Maximum Lot Coverage	85%	74%
Maximum Building Height	3 stories/ 40’	3 stories/40.33’ (42)

Site Design	Required	Proposed
Number Parking Stalls	Multi-family dwelling: 1 per dwelling (19) General retail; service business; office: 1 per 400 sq. ft. floor area (2) (21 total)	17 underground (44)

Accessible Stalls	Yes	2 underground
Loading	Not required	None
Number Bike Parking Stalls	Multi-family dwelling: 1 per unit up to 2-bedrooms (19) ½ space per add'l bedroom; 1 guest space per 10 units (2) General retail; service business; office: 1 per 2,000 sq. ft. floor area (2 minimum) (23 total)	20 underground 4 surface (24 total) (45)
Landscaping and Screening	Yes	Yes (46)
Lighting	Yes	Yes
Building Forms	Yes	Commercial block bldg. (47)(48)

Other Critical Zoning Items	Historic District (HIS-TL), Barrier Free (ILHR 69), Utility Easements
------------------------------------	---

Table prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Environmental Corridor Status: The site is not within a mapped environmental corridor.

Public Utilities and Services: The site is served by a full range of urban services, with Madison Metro Routes 3, 4, 10, and 38 serving the site.

Project Description

The applicant proposes to demolish an existing one-story commercial building and surface parking lot in order to construct a new 26,776-square-foot, three-story mixed-use building with 775-square-feet of commercial space, 19 residential units, and 17 underground parking stalls. According to the City’s Preservation Planner the building proposed for demolition was constructed in 1966 for the Gilman Press shop. Photos of the existing structure are available on the City’s Legislative Information website and linked [here](#).

The proposed dwelling units range in size from 461 square-feet to 1,072 square-feet and include seven studio units, four one-bedroom units, six two-bedroom units, and two two-bedroom lofted units. Plans show that 16 of the units will have individual balconies or porches. In regards to the building’s materials, the applicant proposes a mix of brick (along the Williamson Street frontage), with gray composite siding surrounding the back portions of the eastern and western elevations, and the entire southern elevation. The third floor will be step-backed on the rear of the building, providing additional balcony space for those units. Access to the underground parking area is provided directly off Williamson Street, with the garage entrance on the northeast side of the building.

Project History

On August 24, 2020, the Plan Commission reviewed a demolition and conditional use request for this property to demolish the existing one-story commercial building and construct a three-story, 27,605 gross-square-foot mixed-use building with 24 residential units, 833-square feet of commercial space, and 17 underground parking stalls. Materials from that previous application are available [here](#).

At that meeting, the Plan Commission found that the Conditional Use Standards were not met and voted to place the land use request on file without prejudice. In making their motion, the Plan Commission found that the conditional use request did not meet the following standards in MGO §28.183(6)(a):

#4: *“The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;”*

#7: *“The conditional use conforms to all applicable regulations of the district in which it is located;” and*

#9: *“When applying the above standards to any new construction of a building or addition to an existing building the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district. In order to find that this standard is met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission for comment and recommendation.”*

As the subject site is located within the Third Lake Ridge Historic District (HIS-TL), the previous request required Landmarks Commission approval of a Certificate of Appropriateness (CoA) for the land combination (CSM), demolition, and new construction per MGO §41.18 and MGO §41.23. At their June 1, 2020 meeting, the Landmarks Commission found the standards met and approved the CoA request for the demolition and land combination. At their August 18, 2020 meeting, the Landmarks Commission found the standards met and approved the CoA request for new construction. Materials related to the Landmarks Commission approvals are available on the City’s Legislative Information website and linked [here](#).

The City’s Preservation Planner reviewed the current land use proposal and administratively approved the revised CoA request. The new proposal is smaller in width, but is generally consistent to what the Landmarks Commission approved at their August 18th meeting.

Project Analysis and Conclusion

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

Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends Neighborhood Mixed Use (NMU) for the site, which calls for buildings between two and four stories and up to 70 dwelling units per acre (du/ac). According to the adopted plan, “Development and design within NMU areas should be compact and walkable, ideally adjacent to existing or planned transit. NMU areas should be well connected and integrated into neighborhoods, and development should be transit-oriented, even in areas where transit service does not yet exist. Buildings in NMU areas should be oriented towards streets, with buildings close to public sidewalks. On-street parking is recommended where practical, with private off-street parking placed primarily behind buildings, underground, or shielded from public streets by liner buildings.” The proposed development will have a unit density of approximately 63 du/ac, which is within the recommended density range for NMU.

The [Williamson Street BUILD Plan](#) (2004) contains the following design guidelines for all new residential and commercial development within the Third Lake Historic District:

1. Reflect local building traditions without being falsely historic;
2. Do not “under design” or “over design”;
3. Incorporate design features that promote neighborhood interaction and connectivity;
4. Modulate the scale and volume of larger buildings;
5. Preserve sense of physical/visual continuity throughout the neighborhood;

6. Use familiar proportions, dimensions, shapes, and materials;
7. Seek precedents for unusual design features;
8. Standards for commercial buildings; and
9. Design the sides, rear, and tops of buildings, not just the front facades;

The Plan also includes the subject site in Height Zone I for new construction, which recommends that new buildings shall be no higher than 2-1/2 stories nor wider than 60 feet. Furthermore, the Plan states that the setback of street facades for commercial and mixed-use buildings be two feet from the property line and that the minimum rear yard setback be 16 feet if the building has underground or structured parking. The Plan also provides guidance on underground parking requirements, noting that in general, structured parking should be located away from the street-front and accessed from the side streets or alleys. Additionally, the Plan recommends that the first floor commercial level shall be at grade in order to have first floor entrances as close to the sidewalk as possible. In regards to building articulation and materials, the plan recommends that first floor storefronts be broken up into bays of a similar width to those on existing pre-1954 commercial buildings. It also recommends for new buildings be sided with masonry and wood shingles or modern materials that duplicate the appearance of original wood shingles may be used on the upper half of residential buildings. Lastly, the plan calls for flat roofs on all new mixed-use buildings.

The Planning Division believes that this revised proposal generally conforms better to the [Williamson Street BUILD Plan](#) (2004) recommendations. Staff believes that the proposed mixed-use building meets most of the architectural standards in the BUILD Plan and notes that it received a Certificate of Appropriateness (CoA) for new construction. Staff notes that with this submittal, the entire building width is 66 feet, compared to 80 feet in the previous submittal. In regards to building placement, the building is setback approximately four feet from the front property line and approximately 20 feet from the rear property line, which is generally consistent with the Plan recommendations.

The property's TSS zoning allows three stories/40 feet by right. According to the submitted materials, the proposed building is 40.33 feet tall, which exceeds the 40 foot permitted height limit in the Traditional Shopping Street (TSS) Zoning District. Therefore, if approved, the Planning Division recommends a condition of approval requiring that the plans submitted for final sign-off comply with the height restrictions in the TSS Zoning District. In regards, to the BUILD Plan height recommendations, there is precedent for approving buildings that exceed the BUILD height recommendations. Examples include: [801 Williamson Street](#), approved by the Plan Commission in 2017 with a height of three stories when the Plan called for 2.5 stories and [706 Williamson Street](#), approved by the Plan Commission in 2014 with a height of six stories when the Plan called for five stories.

Lastly, the [Marquette-Schenk-Atwood Neighborhood Plan](#) (1994) lists this site in Target Study Area "B", which the Plan refers to as the *downtown commercial district*. According to this Plan, "The character and personality of this downtown commercial area is different than that of the *neighborhood shopping core* in that it is less intimate and more public, thus serving downtown workers first and neighborhood consumers second." In regards to residential uses in this Area, the Plan recommends to "encourage the construction of residential dwelling units or office space on any floor above the ground floor" (p. 15). While the first floor commercial space is relatively small, staff believes that this proposal conforms to these Plan recommendations.

Demolition Approval Standards

In order to approve a demolition request, the Plan Commission must find that both the requested demolition and the proposed future use are compatible with the purpose of the demolition section of the Zoning Code and the intent and purpose expressed in the Traditional Shopping Street (TSS) Zoning District. A copy of the statement of

purpose is provided in the Plan Commission materials. The purpose of the demolition section is to aid in the implementation of adopted City plans, protect neighborhood character, preserve historic buildings, encourage the reuse and/or relocation of existing buildings, discourage buildings falling into a state of severe disrepair from lack of maintenance by the owner, encourage compliance with building and minimum housing codes, and allow the property owner to have a decision on approval or disapproval of the proposed use of the property before he or she takes the irrevocable step of demolishing or moving the buildings.

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

Finally, the demolition standards state that the Plan Commission shall consider the report of the City's Historic Preservation Planner regarding the historic value of the property as well as any report submitted by the Landmarks Commission. At their June 1, 2020 meeting, the Landmarks Commission found that the building at 817 Williamson Street has no known historic value. Furthermore, the City's Preservation Planner found that the building proposed for demolition is well outside the period of significance for Third Lake Ridge and both its architectural style and form are out of character with the historic resources in the district.

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

Conditional Use Standards

The applicant is requesting approval of the following conditional uses in the Traditional Shopping Street (TSS) Zoning District: 1) A building exceeding 25,000 square-feet of floor area for a mixed-use or multi-tenant building; 2) A building with non-residential uses occupying less than 75 percent of the ground-floor frontage facing the primary street; and 3) A building with non-residential uses constituting less than 75 percent of the building's ground-floor area all to construct a three-story mixed-use building with approximately 830 square feet of commercial space and 24 apartments.

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

As previously stated, the Planning Division believes that this proposal generally conforms to the adopted plan recommendations and design guidelines for the subject site. Furthermore, staff believes that all of the Conditional Use Approval Standards can be found met.

In regards to the building design, Approval Standard #9 states that, "When applying the above standards to any new construction of a building or an addition to an existing building the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the Zoning District. In order to find that this standard is met the Plan Commission may require the applicant to submit plans to the Urban Design Commission for comment and recommendation." Staff believes that the proposed building design is compatible with the varied pattern of development along Williamson Street, which includes a range of building heights and widths. Furthermore, the City's Landmarks Commission approved a CoA for the new construction, therefore deeming it "visually compatible

with the historic resources within 200 feet.” Given this positive finding, the Planning Division believes that this standard can be found met.

Public Input

At the time of report writing, staff did not receive public comment for the updated land use request.

Conclusion

Staff believes the proposal’s scale and use is appropriate for its neighboring properties, is generally consistent with adopted plans, and provides a use that is more compatible with the Zoning District and Neighborhood Mixed Use (NMU) land use category than the existing one-story commercial building and surface parking lot. Staff believes that all the applicable demolition and conditional use approval standards can be found to be met.

Recommendation

Planning Division Recommendations (Contact Sydney Prusak, sprusak@cityofmadison.com)

The Planning Division recommends that the Plan Commission find the standards met and **approve** the demolition and conditional use requests in order to construct a three-story mixed-use building with approximately 775-square-feet of commercial space and 19 apartments, subject to input at the public hearing and the following conditions:

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

Planning Division (Contact Sydney Prusak, sprusak@cityofmadison.com)

1. This approval does not include a conditional use approval to exceed the three stories/40 height maximum. The plans submitted for final sign-off shall comply with the height restrictions in the Traditional Shopping Street (TSS) Zoning District, with details to be approved by the Zoning and Planning staff.

City Engineering Division (Contact Brenda Stanley, (608) 261-9127)

2. This site accepts runoff water from lands to the South. That must be continued to be allowed. The plans shall be revised to show how water from the South shall be accommodated.

3. 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)

4. Construct sidewalk to a plan and profile as approved by City Engineer.

5. 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))

6. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
7. This project appears to require permanent dewatering. A permit to connect to the public stormwater system shall be required from City Engineering. Additionally, a permit for non-storm discharge to the storm sewer system from the City/County Health Department shall also be required. 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 issuance of the connection and non-storm discharge permits.
8. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
9. 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.
10. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
11. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
12. 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)
13. 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)
14. 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.

The stated elevation is intended to be protective but does not guarantee a flood proof structure. The Developer/Owner are strongly encouraged to complete their own calculations and determine an elevation that protects their property to a level of service that they are comfortable with.

15. 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.

16. This project will disturb 4,000 sf or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. The permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

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)

17. 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: Reduce the peak discharge by 15% compared to existing conditions during a 10 year storm event.

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

Volume Control: Provide onsite volumetric control reducing the post construction volumetric discharge by 5% 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.

18. 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.

19. 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 troester@cityofmadison.com (West).

City Engineering Division – Mapping Section (Contact Jeff Quamme, (608) 266-4097)

20. The applicant / owner is responsible to obtain all agreements for the construction, maintenance or for any structural support necessary within, over or under any adjacent property for the proposed retaining walls that are very near the northeast and southwest property lines.
21. The site plan shall show any proposed dedicated Right of Way or Public Sidewalk Easement are for the required terrace and sidewalk widths by Traffic Engineering per the requirements of the pending Certified Survey Map.
22. The address of the apartments is 821 Williamson St. The address of the commercial tenant space is 823 Williamson St. 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.
23. The pending Certified Survey Map 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 including early start permits.
24. Submit a site plan and complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page 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 final verification submittal stage of this LNDUSE with Zoning. The approved Addressing Plan shall be included in the final application. For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved. The final revised Addressing Plan shall be submitted by the applicant to Zoning to be attached to the final filed approved site plans.

Traffic Engineering Division (Contact Sean Malloy, (608) 266-5987)

25. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along Williamson Street.
26. 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.

27. Parking deck is insufficiently labeled/dimensioned for a proper review. If the parking does not meet MGO 10.08 the applicant can expect to be required to make major alteration which may or may not impact structural elements of this site.

28. 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.

29. 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.

30. 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.

31. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

32. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

33. 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.

34. 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.

35. Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.

36. The applicant shall enter into a signed developer's agreement through City of Madison Engineering prior to sign off.

37. 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 Williamson Street 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.

38. Applicant shall submit for review a vehicular turning movement template.

39. Applicant shall submit for review a Commercial Delivery Plan. This plan will include times, vehicle size, use of loading zones and all related turning movements.

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

40. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.

41. Update the useable open space exhibit with the correct number of dwelling units and useable open space requirement.\

42. Submit a detail or profile showing compliance with the south rear yard height transition to the abutting residential zoned properties.

43. Show the rear yard encroachment for the second floor balconies on the plans. The balconies may encroach a maximum of six (6) feet into the rear yard setback.

44. A vehicle parking reduction will be required per Section 28.141(5). Submit a request for a parking reduction with the final plan submittal including information to support the request to reduce the required number of spaces. When the commercial tenant space is leased, the entire development must reflect compliance with the required number of vehicle parking spaces, to be reviewed prior to obtaining zoning approval for the future tenant space use. Future parking reductions may be required prior to obtaining zoning approval for future tenant uses.

45. Bicycle parking shall comply with City of Madison General Ordinances Sections 28.141(4)(g) Table 28I-3 and 28.141(11) and shall be designated as short-term or long-term bicycle parking. The bicycle parking requirements for the commercial tenant spaces will be reviewed prior to obtaining zoning approval for each use.

46. Screening is required adjacent the Zoning district boundary along the rear (southeast) property line. Screening shall be provided along side and rear property boundaries between commercial/ mixed-use districts and residential districts. Screening shall consist of a solid wall, solid fence, or hedge with year-round foliage, between six (6) and eight (8) feet in height. Submit a detail of the screening fence with the final plans. Fence or hedge height shall be measured from natural or approved grade. In the case of grade separation, such as the division of properties by a retaining wall, fence or hedge height shall be determined based on measurement from the average point between highest and lowest grade. If the fence or hedge is set back from the retaining wall by a distance of at least four (4) feet, the height shall be measured from the base of the fence or hedge. For conditional uses, the Plan Commission may modify these requirements.

47. 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.

- 48. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129.
- 49. 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.
- 50. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Parks Division (Contact Ann Freiwald, (608) 243-2848)

- 51. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the East Park-Infrastructure Impact Fee district. Please reference ID# 20017 when contacting Parks about this project.

City Forestry (Contact Brad Hofmann, 267-4908)

- 52. Damaging 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.
- 53. Excavation 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.
- 54. Protection 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.
- 55. Pruning 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.

56. Soil 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.
57. Street 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.
58. Tree An existing inventory of street trees located within the right of way shall be included on the landscape, site, demo, and utility plans. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.

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

59. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.
60. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.