



## Report to the Plan Commission

December 17, 2012

**Legistar I.D. #28121 & 28465**  
**448 S. Park Street & 914 Drake Street**  
**Demolition Permit & PUD Rezoning**

Report Prepared By:  
Timothy M. Parks, Planner  
Planning Division

**Requested Action:** Approval of a request to rezone 448 S. Park Street and 914 Drake Street from R3 (Single- and Two-Family Residence District) and C3 (Highway Commercial District) to Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow construction of a mixed-use building containing approximately 6,500 square feet of retail space and 40 apartments following the demolition of a former bakery and a single-family residence.

**Applicable Regulations & Standards:** Section 28.07(6) of the Zoning Ordinance provides the requirements and framework for Planned Unit Developments; Section 28.12(10) provides the process for zoning map amendments; Section 28.12(12) provides the guidelines and regulations for the approval of demolition permits.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission recommend **approval** of Zoning Map Amendment ID 3639 and 3640, rezoning 448 S. Park Street and 914 Drake Street from R3 and C3 to PUD(PD)-GDP-SIP, to the Common Council, and **approve** a demolition permit to allow a bakery and single-family residence to be demolished and a new mixed-use building to be constructed, all subject to input at the public hearing and the conditions from reviewing agencies beginning on page 9 of this report.

### Background Information

**Applicant:** Joe McCormick, JD McCormick Company, LLC; 101 N. Mills Street; Madison.

**Agent:** Joseph Lee, JLA Architects + Planners; 5325 Wall Street, Suite 2700; Madison.

**Property Owner:** Jerry Lane; 5725 Blacklake Road; Mercer.

**Proposal:** The applicant is proposing to demolish a single-family home and the former Lane's Bakery to allow construction of a mixed-use building containing up to 6,500 square feet of first floor commercial space and 40 apartments. Demolition and construction will commence in the summer or fall of 2013, with completion anticipated approximately one year later.

**Parcel Location:** An approximately 0.44-acre site located at the northwestern corner of S. Park Street and Drake Street, Urban Design District 7; Aldermanic District 13 (Ellingson); Madison Metropolitan School District.

**Existing Conditions:** The subject site is developed with a one-story bakery with partial mezzanine and full basement and surface parking lot located at 448 S. Park Street in C3 (Highway Commercial District) zoning and a single-family residence located at 914 Drake Street in R3 (Single- and Two-Family Residence District) zoning.

**Surrounding Land Use and Zoning:**

North: Multi-tenant building with first floor retail (State Farm, barbershop, etc.) and second floor residences, zoned C3 (Highway Commercial District); single- and two-family residences, zoned R3 (Single- and Two-Family Residence District);

South: Former Ideal Body Shop and single- and two-family residences along the south side of Drake Street, zoned PUD-GDP-SIP to reflect a recently approved mixed-use building that will contain approximately 4,700 square feet of first floor commercial space and 57 apartments;

West: Single- and two-family residences, zoned R3;

East: La Hacienda Restaurant and George’s Flowers, zoned C2 (General Commercial District).

**Adopted Land Use Plan:** The Comprehensive Plan identifies the C3-zoned portion of the site for Community Mixed-Use development and the R3-zoned portion of the site for Low-Density Residential uses. The S. Park Street corridor from Meriter Hospital south to the Beltline Highway is recommended as a Potential Redevelopment Area.

The subject site is also located within the boundaries of the Greenbush Neighborhood Plan, which recommends that properties along the west side of S. Park Street be redeveloped with mixed-use buildings between two- and four-stories in height with neighborhood friendly offices or retail uses on the street-level floor and residential units on upper floors. Moving west, the Greenbush Neighborhood Plan recommends that the existing housing stock located between S. Mills Street and the S. Park Street mixed-use area should be preserved and rehabilitated to create more cohesion between the homes and S. Park Street.

**Environmental Corridor Status:** The property is not located within a mapped environmental corridor.

**Public Utilities and Services:** The property is served by a full range of urban services, including seven-day bus service along S. Park Street.

**Zoning Summary:** The subject site will be zoned PUD-GDP-SIP. The project will be reviewed in the following sections.

<b>Other Critical Zoning Items</b>	
Yes:	Urban Design (UDD 7), Utility Easements, Barrier Free
No:	Wellhead Protection, Floodplain, Landmarks, Waterfront Development
<i>Prepared by: Pat Anderson, Asst. Zoning Administrator</i>	

**Future Zoning Summary:** In order to provide conforming zoning to the subject site upon the effective date of the new Zoning Code on January 2, 2013, the zoning map amendment ordinance includes the creation of Sections 28.022–00008 and 28.022–00009 to rezone the site to the Planned Development-General Development Plan-Specific Implementation Plan (PD-GDP-SIP) zoning district.

## **Project Review**

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The applicant is requesting approval of Planned Unit Development zoning to allow construction of a mixed-use building that will contain up to 6,500 square feet of first floor commercial space and 40 apartments on an approximately 0.44-acre site located at the northwestern corner of S. Park Street and Drake Street. The proposed building will replace two existing structures including the former Lane's Bakery and a single-family residence next door. The bakery is a 6,128 square-foot building that includes a full first floor, a partial mezzanine level above, and full basement containing food preparation space. The building was constructed in 1987 and features a chalet architectural style with a stucco exterior, wood beam accents and gable roof. Parking for the building is provided in a surface parking lot containing approximately 18 automobile stalls accessed from a driveway along Drake Street. The single-family home is a two-story, five-bedroom residence that was constructed in 1884 according to City records. The residence is located south of the bakery building and west of the bakery's surface parking lot. The site is bounded on the north by an east-west mid-block public alley that extends through the block formed by S. Park Street, Vilas Avenue, Drake Street and S. Brooks Street. The alley extends one-way to the west and provides access to parking for the multi-tenant mixed-use buildings located along the S. Park Street frontage and the single- and two-family residences that comprise the rest of the block. Photos of the bakery and residence are included in the materials for this project.

The proposed mixed-use building will include five full stories with a full loft level to extend most of the length of the building, which will extend 148 feet along S. Park Street. The first floor of the building will include between 6,000 and 6,500 square feet of contiguous commercial space extending along the S. Park and Drake frontages. The commercial space can be subdivided into multiple tenant spaces, with the potential for multiple entrances along S. Park Street. A recessed storefront entrance is shown at the southeastern corner of the building adjacent to the intersection of S. Park and Drake streets. A 14-stall surface parking lot is proposed along the western wall of the building, which will be accessed from driveways from Drake Street and the one-way mid-block alley. The remainder of the first floor of the building will house the residential lobby and a refuse and recycling room, both of which will be accessible from the surface parking lot, and a ramp leading to the underground parking level that will extend below the building, surface parking lot and public alley and contain 40 parking stalls and various mechanical and storage spaces. Access to the underground parking will be provided by a driveway from the mid-block alley.

Above the first floor, the plans call for 6 one-bedroom and 4 two-bedroom apartments to be constructed along a central corridor on the second through fifth floors. The fifth floor units will include loft spaces above, with a roof deck for residential tenants to also be located on the loft level above the fifth floor, which will be accessed from the building's elevator and southern staircase. The building is proposed to stand 65 feet above S. Park Street as measured to the top of the loft level above the fifth floor. Each of the proposed apartments will include a balcony to provide private open space for the dwelling units. According to the project architect, the building will have a "modern industrial aesthetic," with an exterior comprised of two-toned masonry veneer along both street frontages and along portions of the northern and western sides, which will otherwise be composed of fiber-cement siding. Metal panel sections will be featured along most of the fifth floor, loft level, and on prominent corner elements. The building's industrial aesthetic will be reinforced by prominent windows across most of the, southern, eastern and western facades.

## **Evaluation & Analysis**

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The applicant is requesting approval of Planned Unit Development zoning and a demolition permit to allow a former bakery and a single-family residence located at the northwestern corner of S. Park and Drake streets to be razed and a five-story mixed-use building containing up to 6,500 square feet of retail space and 40 apartments to be built. The proposed building cannot be built on the site's split R3 and C3 zoning and requires PUD zoning in order to proceed. The proposed development would not meet the lot area, useable open space, and required front, side and rear yards if developed in an expanded C3 district.

The proposed development represents the second large-scale redevelopment to be proposed recently along this section of S. Park Street. On October 2, 2012 the Common Council approved a request to rezone 502 S. Park Street and 917-925 Drake Street to PUD zoning to allow the former Ideal Body Shop and 3 residences located along the south side of Drake Street to be demolished to accommodate an up to five-story mixed-use building containing 4,700 square feet of first floor retail, 65 apartments and underground parking. The approved PUD for "The Ideal" sits directly south of the subject site, and both projects – if the subject project is approved – will dramatically transform the S. Park/ Drake intersection through the introduction of significantly greater building bulk and mass compared to the current, historic condition as well as greatly increased residential density.

Planning staff believes that the proposed mixed-use building at 448 S. Park Street and 914 Drake Street can meet the standards and criteria for approval of planned unit developments, demolition permits and zoning map amendments.

As with any zoning map amendment, the Plan Commission shall not recommend the adoption of a proposed rezoning unless it finds that the proposed rezoning is "in the public interest and is not solely for the interest of the applicant, and shall not recommend a proposed amendment without due recognition of the master plan of the City." In addition, Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be *consistent with* the City's comprehensive plan. 2010 Wisconsin Act 372 clarified "Consistent with" as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan."

Furthermore, the Zoning Ordinance requires that specific criteria be met to determine if a proposed planned unit development "is consistent with the spirit and intent of this ordinance and has the potential for producing significant community benefits in terms of environmental and aesthetic design." The criteria for approval of a planned unit development requires that the Plan Commission consider the character and intensity of the proposed development and its compatibility with the surrounding area as well as the preservation and maintenance of open space and the impacts on traffic, parking and demand for municipal services resulting from the project.

### Conformance with Adopted Plans

The Comprehensive Plan identifies the commercially zoned portion of the subject site for Community Mixed-Use development, while the portion of the site occupied by the existing single-family residence is recommended for Low-Density Residential uses.

Community Mixed-Use (CMU) districts are recommended locations for a high-density mix of residential, retail, office and civic uses in a compact urban setting that may encompass many blocks of land. Developments in CMU districts are recommended to either be located adjacent to medium- or high-

density residential areas or be large enough to accommodate high-density residential uses when adjacent to lower-density areas, and may also be located near employment centers. Buildings in these zones should be well designed and located close to the sidewalk, with parking located at the rear of the buildings or underground, and pedestrian-level amenities should be provided. The intensity of development in areas recommended for Community Mixed-Use development will vary throughout the City, with more specific standards for height, FAR and urban design to be determined through a neighborhood or special area planning process. Buildings in CMU districts should be at least 2 stories in height, and residential density should generally not exceed 60 units an acre, although more intensive development may be recommended in a neighborhood or special area plan.

The Comprehensive Plan places a significant emphasis on new or infill development being complementary to and compatible with the existing and planned characteristics of the surrounding neighborhood, and infill development or redevelopment being designed to incorporate or improve upon existing positive qualities such as building proportion and shape; pattern of buildings and yards; building orientation to the street, and; building materials and styles. Although infill development is strongly encouraged as a key theme of the overall plan, it is always only one among many objectives, and other factors such as architectural character and scale (including building height, size, placement and spacing), block and street patterns, landscaping and traffic generation are also important.

Planning staff believes that the proposed mixed-use building is consistent with most, if not all, of the recommendations for Community Mixed-Use development and feels that the proposed building represents many of the characteristics recommended for new development in the CMU district, including the placement of the building near the sidewalk to frame S. Park Street, the location of the surface parking at the rear of the site, and the orientation of most of the first floor spaces to the public sidewalks to create an active street frontage. However, staff acknowledges that the 91 unit an acre residential density proposed will be roughly 50% greater than the 60 units an acre generally recommended for CMU districts.

The subject site is also located within the boundaries of the Greenbush Neighborhood Plan, which was adopted by the Common Council in July 2008 and includes a series of goals and strategies to revitalize the neighborhood bounded by Regent Street on the north, S. Park Street on the east, Haywood Drive on the south, and S. Randall Avenue on the west. Redevelopment is generally encouraged in the plan, which recommends that properties along the west side of S. Park Street be redeveloped with mixed-use buildings between two- and four-stories in height, with neighborhood-oriented retail and service uses on the street-level floor and residential units on upper floors. Parking should be located behind the buildings and appropriately screened. To the west, the plan recommends that the existing housing stock located between S. Mills Street and the S. Park Street mixed-use area should be preserved and rehabilitated to create more cohesion between the homes and S. Park Street (shown as Area 2 in the plan).

Like The Ideal redevelopment approved across Drake Street from the site, the height of the proposed mixed-use building will exceed the four-story maximum building height recommended by the Greenbush Neighborhood Plan. However, staff believes that the proposed development can be found to be consistent with many of the broader goals and objectives for the S. Park Street corridor in the plan, including the creation of additional opportunities for neighborhood-oriented retail and services along S. Park Street as desired in the plan, and increased diversity of housing options available in the Greenbush neighborhood through the addition of market-rate, non-student-oriented apartment units. Staff also believes that the footprint of the proposed mixed-use development will create a better transition between the more intensively developed S. Park Street commercial corridor and the lower density residential neighborhood to the immediate west compared to the Ideal project, which was

viewed by some in the surrounding area as an incursion of higher density development west into the neighborhood.

### Conformance with Urban Design District 7

As noted previously, the subject site is located within Urban Design District 7 (UDD 7), which was adopted by the Common Council in July 2006 and follows earlier planning efforts in the Park Street corridor, including the 2001 Park Street Revitalization: Possibilities to Reality and 2004 Park Street Corridor: Urban Design Guidelines. The statement of purpose of UDD 7 states that it was created to improve the appearance and function of the Park Street corridor as a gateway to downtown and the University of Wisconsin-Madison that is also critical to the vitality of adjoining neighborhoods. The district's design requirements and guidelines are intended to provide clear direction for how property can be improved, to protect against fragmented or incompatible development and to preserve and enhance the property values and economic vitality in the district. Urban Design District 7 includes a series of requirements that projects are required to comply with, and a number of guidelines that projects are required to comply with to the extent possible.

Staff believes that the proposed building can be found to comply with all of the requirements and most of the guidelines of UDD 7. The new building appears to be located approximately 1 foot from the S. Park Street property line in accordance with the requirement that new buildings be located within 1-10 feet of the front property line—in this case, S. Park Street. The new building will also be consistent with the setbacks present on existing blockface, which features mixed-use and commercial buildings located adjacent to the S. Park Street sidewalk. The project will also conform to recommendations that a minimum of 8 feet of pedestrian space be provided between a new building and the back of curb, and that the front facade of the building and the primary entrance face the primary street. In this case, a 10-foot space is proposed between the new building and S. Park Street curb, while entrances to the first floor retail spaces are proposed to face S. Park Street. Staff also believes that the project can meet the UDD 7 requirements for the siting and screening of parking, site landscaping, etc.

The architecture of the building is also generally in conformance with the requirements and guidelines of the district. The proposed development includes highly articulated and complementary facades along both S. Park and Drake streets, a strong pedestrian orientation for the entire development that includes strong first floor elements along both streets, a high degree of façade material and color variation as generally recommended to break up large facades, and a distinctive architectural design for the project, which staff feels will integrate well with both the older and newer building stock located along the S. Park Street corridor.

New buildings in UDD 7 are required to be at least two stories in height, and should generally be limited to four stories in height. However, building height bonuses of up to two additional floors may be allowed “depending on the quality of the design, the affect of the development on the adjoining neighborhood, and the contribution of the project to the use mix and activity in the vicinity, and the character of the street.” The bonus stories are included in UDD 7 to serve as an incentive for creative building design and should not be viewed as the permitted height. Another guideline states that new infill buildings should not vary by more than one story from the average building height in the block when that block exhibits a concentration of existing buildings and a well-defined blockface.

The height of the approved Ideal PUD across Drake Street was a source of concern for the Greenbush Neighborhood Association and nearby residents, and similar concerns were expressed early on when the proposed redevelopment of the subject site was presented to the Urban Design Commission during an informational presentation in September 2012. However, staff believes that the proposed mixed-use

building can meet the height-related requirements and guidelines and feels that the project can meet the qualifications for the additional stories above the four otherwise allowed despite the proposed building being taller than the existing context. The new building is well designed and has the potential to add significantly to the diverse architectural character along S. Park Street. The mixed-use development should also add positively to the vibrancy of the surrounding area, which staff believes justifies the additional height proposed for the building.

A noteworthy departure from the requirements and guidelines for new buildings in UDD 7 is the proposed building's lack of a setback as recommended in the Building Height section of the district. One of the guidelines in that section states that new buildings in excess of three stories "shall incorporate" a front façade setback of at least 15 feet from the building face at the third floor. The new building does not conform to this guideline, and instead proposes to incorporate 5-foot deep recesses along the S. Park Street façade of floors 2-5, in which balconies for the adjacent residential uses will be located. The resulting building essentially provides little or no setback along S. Park Street. However, Planning staff supports the design of the building as proposed despite the lack of setback, and does not believe that the design of the proposed building would be as strong if it incorporated a setback above the third floor per the district requirement. While staff believes that the setback provision is a useful design tool to encourage variation in the bulk and mass of new buildings in an effort to prevent S. Park Street from being overwhelmed, it feels that an exception is warranted in this case due to the exceptional architectural composition of the proposed building and the relative lack of depth for the site perpendicular to S. Park Street.

Sec. 33.24(14)(d), entitled Basis for Design Review states that:

"In reviewing plans for development in the District, the Urban Design Commission shall consider the following requirements and guidelines as may be appropriate. The development shall meet the requirements and conform as much as possible to the guidelines. Both the requirements and guidelines apply to new construction, renovations, additions, and exterior alterations unless stated otherwise for a specific item. The overall design of each development shall be of high quality."

In conclusion regarding the project's conformance to UDD 7, the mixed-use building was reviewed on 3 occasions by the Urban Design Commission, which granted the proposed planned unit development final approval on December 5, 2012 (see attached reports).

#### Other Issues to be Considered: Encroachment into the Right of Way

In reviewing the project plans, staff from various agencies determined that the proposed underground parking level to serve the mixed-use building will extend into the public right of way for the mid-block alley that forms the northern edge of the site. While it is not uncommon for new buildings to be built with minor encroachments into the public right of way for items such as utility vaults or canopies, City staff generally does not support more substantial encroachments such as the one proposed, which calls for the underground parking to be built across the alley right of way to touch the adjacent mixed-use building north of the alley. In addition to the potential impact on the abutting property owner due to the construction of the new building, the proposed encroachment will require approval to permanently occupy the right of way that is not within the purview of the Plan Commission.

Staff is also concerned about the impacts construction of the underground parking could have on other properties on the subject block, which rely on the one-way alley for access to their parking areas, including 8-10 residential properties and the mixed-use buildings at 416-424 S. Park Street. Staff

recommends that the plans be revised to show the underground parking located entirely outside of the alley right of way, which will result in a reduction of off-street parking to serve the building and may cause a need for the project to have a restriction placed on it limiting the number of residential parking permits available for future tenants similar to a condition of approval added for The Ideal mixed-use development to the south.

### Demolition Notification

It has also recently come to staff's attention that the full pre-application notification required for a demolition permit to proceed under Section 28.12(12) of the Zoning Code was not provided prior to the filing of the Land Use Application for the rezoning and demolition permit for this project. Staff was unable to find a pre-application notification for either building on the listserv of interested parties registered to receive notice of forthcoming demolition applications. For this project, the notice would need to have been provided 60 days prior to filing the demolition permit application due to the age of the residence at 914 Drake Street, which could have been reduced to not less than 14 days if approved by the district alder, neighborhood association president and Director of the Department of Planning and Community and Economic Development.

Despite this procedural oversight, Planning staff believes that the project may proceed. The project was the subject of at least one neighborhood meeting (on August 2, 2012 at Lane's Bakery), 3 discussions before the Urban Design Commission, including 2 that public hearing notices were sent before due to the site's location in UDD 7, and stories in the local media about the closing of the bakery and potential redevelopment of the site. In addition, public hearing notices were provided for the rezoning and demolition permit prior to this hearing as required under the Zoning Code. Planning staff discussed the proposed demolitions with Amy Scanlon, the City's Preservation Planner, and she expressed no concerns.

In conclusion, staff feels that the public is sufficiently aware of the proposal to allow the application to proceed. Failure to provide notice of the demolition permit does not invalidate the action of the Plan Commission. However, the Commission would be within its right to refer the project until all of the necessary notification for the application has been provided.

### **Conclusion**

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The Department of Planning and Community and Economic Development believes that the proposed mixed-use development can meet the standards and criteria for approval for demolition permits, zoning map amendments and planned unit developments. Staff believes that the proposed building is well-designed and that the project represents another building block in the resurgence of S. Park Street in a fashion similar to approximately a half-dozen other high-quality infill redevelopment projects that have been approved or developed from Regent Street south to Wingra Creek. The project should provide additional housing diversity and increase the amount of neighborhood-oriented retail and service uses in this area as generally recommended in the Greenbush Neighborhood Plan. Staff further believes that the proposed planned unit development is generally consistent with the goals, objectives and policies recommended for this site in the Comprehensive Plan.

However, staff does not believe that the development should extend significantly beyond its property limits as currently proposed, and recommends that the project be approved with a condition eliminating the proposed encroachment into the mid-block alley right of way.



## **Staff Recommendations, Conditions of Approval & General Ordinance Requirements**

Major/Non-Standard Conditions are shaded

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

The Planning Division recommends that the Plan Commission recommend **approval** to the Common Council of Zoning Map Amendment 3639 and 3640, rezoning 448 S. Park Street and 914 Drake Street from R3 and C3 to PUD(PD)-GDP-SIP, to the Common Council, and **approve** a demolition permit to allow a former bakery and single-family residence to be demolished and a new mixed-use building to be constructed, all subject to input at the public hearing, the following Planning Division condition(s) and the conditions from reviewing agencies:

1. **The project plans shall be revised to show the underground parking located entirely on the subject site and outside of the public right of way.**
2. If the applicant is allowed to proceed with the parking as currently proposed, a lease or encroachment shall be obtained from the City prior to final approval of the project for recording and the issuance of demolition and building permits. The lease or encroachment shall allow the parking level to be located permanently in the alley right of way. Prior to submitting a request for approval of the lease or other approval necessary to locate the development in the public right of way, the applicant shall submit to the Planning Division and Traffic Engineering Division an alternative access plan for the subject block while the alley is being rebuilt to accommodate the needs of property owners, tenants and residents of the other properties that will be impacted. The applicant shall provide a copy of the alternative access plan approved by Planning and Traffic Engineering to the affected property owners, tenants and residents and Planning Division by USPS Certified Mail a minimum of 30 days prior to commencing construction in the alley and shall not commence construction until 14 days following the last returned mail receipt. The applicant shall be solely responsible for the costs of implementing the approved alley construction and alternative access plans, including all signage and traffic control required.
3. That the Planned Unit Development be revised per Planning Division approval prior to final approval for recording and the issuance of demolition and building permits as follows:
  - 3a. The plans shall be revised to identify the location of all outdoor mechanical equipment (ground and roof) and how any such equipment will be effectively screened for aesthetic and acoustic purposes;
  - 3b. The site plans shall be revised to clearly identify the proposed setback of the building from S. Park Street, with not less than a one-foot setback to be provided per Urban Design District 7; the setback of the building from all other adjacent property lines shall also be dimensioned;
  - 3c. The plans shall be revised to provide 6- to 8-foot tall solid fence along the western property line in addition to the landscaping proposed along the edge of the parking lot;
  - 3d. The plans shall be revised to show additional bike parking to serve the development beyond the minimum number required by the Zoning Code, including parking for visitors to the retail spaces and residential units. Planning staff recommends that a minimum of 1 bike parking stall to be provided for each bedroom somewhere in the development, and that 5 surface parking stalls be provided on the site for use by retail patrons.

The following conditions have been submitted by reviewing agencies:

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

4. It appears that the proposed building is being designed to be within the public alley. The site plans indicate the alley is 18 feet wide, though the alley is only 16.5 feet wide. The level of detail in the plans is insufficient to determine if the proposed design is acceptable. If acceptable, a subterranean lease and/ or encroachment agreement will be required.
5. Construction of the underground level of the building within the public alley will likely require the relocation of existing private utilities that serve other properties on this block. Provide additional information on how the utilities will be relocated.
6. Provide a site plan that outlines the limits of the below grade building improvements. The site plan needs to include all utilities, property lines and right of way lines. Provide details and cross sections of the proposed building which shall include the elevation of the existing and proposed ground, existing and proposed utilities, and proposed street/ alley elevations. Provide proposed centerline and curb grades for the proposed alley.
7. As shown in the plans, the proposed underground building improvements would be constructed directly next to the building at 424 S. Park Street and the construction of those improvements would impact the existing building. Demonstrate how this will be constructed and what earth retention and stabilization methods would be utilized. Provide construction access and easement agreements from all properties that are impacted by this development.
8. Additional comments on the above conditions may be provided by the City Engineering Division after the receipt of the detailed design and supplemental information regarding the underground building encroachment and related improvements that are proposed in the right of way.
9. Any non-standard improvements in the right of way will require a maintenance agreement. This would include the stamped concrete and seating area proposed on Drake Street.
10. Provide details of drainage for entrance to underground parking. If the design includes pumping of stormwater, it must be designed and stamped by a Professional Engineer.
11. Sanitary sewer abandonments after January 1, 2013 shall be done by the City Engineering Division. The developer shall pay abandonment costs to City Engineering in accordance with Section 35 of Madison General Ordinances.
12. Sanborn Fire Insurance Maps show a former filling station with 3 underground storage tanks present. If tanks or contamination are encountered during development, all WDNR and DSPS regulations must be followed and the City of Madison must be notified by contacting Brynn Bemis at [bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com) or (608) 267-1986.
13. In accordance with 10.34 MGO – Street Numbers: When site plans are final, submit a PDF of each floor plan to Lori Zenchenko in Engineering Mapping ([Lzenchenko@cityofmadison.com](mailto:Lzenchenko@cityofmadison.com)) so that an interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.

14. Preliminary approved addresses for the site: Proposed retail space address is 444 S. Park Street; the proposed apartments base address is 902 Drake Street.
15. A Certified Survey Map (CSM) application shall be completed and recorded with the Dane County Register of Deeds prior to issuance of building permits. The CSM shall be signed off by City Engineering staff prior to final approval of the PUD. The concurrent CSM application shall be completed and CSM recorded with the Dane County Register of Deeds so that proper Address-Parcel-Owner (APO) data can be compiled and activated in appropriate city databases to ensure that all building permits are to be administered and issued under the current and appropriate parcel data.
16. 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.
17. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
18. The approval of this planned unit development 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.
19. 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.
20. The applicant shall replace all sidewalk and curb and gutter abutting the property, which is damaged by the construction, or any sidewalk and curb and gutter that 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.
21. 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.
22. The applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.

23. All work in the public right of way shall be performed by a City-licensed contractor.
24. 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](mailto:dkahl@cityofmadison.com) or 266-4816.
25. All damage to the pavement on S. Park Street, Drake Street and the public alley adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
26. The site plans shall be revised to show the location of all rain gutter down spout discharges.
27. 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.
28. 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.
29. For commercial sites less than one acre in disturbance, the City of Madison is an approved agent of the Wisconsin Department of Commerce and Department of Natural Resources (WDNR). As this project is on a site with disturbance area less than one acres, and contains a commercial building, the City 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.
30. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by Section 37 of Madison General Ordinances.
31. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com). The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. E-mail file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.
32. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
33. 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. 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.

34. 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 Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering Division signoff.
35. 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.

**Traffic Engineering Division** (Contact Dan McCormick, 267-1969)

36. As noted on previous projects located on major streets, the building needs to be set back more and coordinated with an overall functional and supportive street terrace and pedestrian-bike-transit, sidewalk/ bike facility streetscape plan. The current proposal does not appear to do that.
37. The project shall provide an access lane/ loading zone/ parking lane on Drake Street outside the existing street width and terrace/ sidewalk.
38. The project shall provide a construction/ staging plan prior to final approval.
39. The applicant will need to demonstrate how the truck service will ingress and egress the site.
40. The applicant shall provide a public street lighting plan for staff review and approval.
41. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by the Traffic Engineer Division to accommodate the microwave sight and building. The applicant shall submit grading plans and elevations if the building exceeds four stories prior to sign-off to be reviewed and approved by Keith Lippert, (266-4767) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
42. Any legal cross access easements and encumbrances on the site and lot shall be shown, and documents provided.
43. 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, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2 feet overhang, and a scaled drawing at 1" = 20'.
44. 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.
45. The applicant shall be required to provide any necessary easements for the installation of street lights, traffic signals, including control box, loops, hand-holes, markings and signing.

46. 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)

47. Show the addresses of tenant spaces in the building on the final site plan pursuant to MGO Section 10.34 (2). Place addresses of the buildings and number of units in each building on the final plan sets. Address information can be obtained from Lori Zenchenko of the City Engineering Division at 266-5952.
48. Provide a reuse/recycling plan to be reviewed and approved by the City's Recycling Coordinator, George Dreckmann prior to a demolition permit being issued. Sec 28.12(12)(e) of the Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note that the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
49. Provide a site plan for the final plan set. Show the setback dimensions shall be from the nearest portion of the building. Any deck/canopy/balcony/porch, if projecting from the principal building, shall show the dimension to the property line.
50. Lighting is required and shall be in accordance with MGO Section 10.085. Provide a lighting photometric plan, including cut sheets for fixture, with the final plan submittal.
51. Provide a detailed landscape plan. Show species and sizes of landscape elements. Within 10 feet from a driveway crossing of a street lot line, any landscaping/screening shall not exceed 2 feet in height for vision clearance. No landscape elements shall be maintained between the heights of 30 inches and 10 feet above the curb level within the 25-foot vision triangle of a street corner.
52. There is no bike parking shown on plans. Bike parking shall comply with MGO Section 28.11: provide a minimum of 40 bike parking stalls for the residential use and an additional 2 bike parking stalls for the commercial space, placed in a safe and convenient location on an impervious surface, to be shown on the final plans. NOTE: A bike-parking stall is 2 feet by 6 feet with a 5-foot access area, with 5 feet of vertical clearance. Provide a detail of bike rack to be installed.
53. Meet all applicable State accessibility requirements, including but not limited to:
- a.) Provide the minimum required number of accessible stalls per ADA for both the surface and underground, striped per State requirements. One of these stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent to and on the passenger side.
  - b.) Show signage at the head of the stalls.
54. Provide one (1) 10' x 35' loading area with 14 feet of vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space. If this loading area cannot be provided, the applicant shall request and obtain approval of the Plan Commission to specifically waive this requirement or it will need to be provided.
55. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Section 31. This site is located in an Urban Design District. Signage must be approved by the Urban Design Commission and Zoning. Sign permits must be issued by the Zoning

Section of the Department of Planning and Community and Economic Development prior to sign installation.

**Parks Division** (Contact Kay Rutledge, 266-4714)

56. The developer shall pay \$90,396.80 in park impact fees (fee in lieu of parkland dedication and park development fees) for the 40 multi-family units proposed less a credit of \$3,541.33 for the single-family residence to be demolished. The developer must select a method for payment of the \$86,855.47 of park fees due before signoff on the SIP. This development is within the Vilas-Brittingham park impact fee district (SI27).

**Fire Department** (Contact Bill Sullivan, 261-9658)

57. Provide fire apparatus access as required by IFC 503 2009 edition, MGO 34.503, as follows:  
57a.) The site plans shall clearly identify the location of all fire lanes.  
57b.) IFC 503 Appendix D105, Provide an aerial apparatus access fire lane that is at least 26-feet wide, with the near edge of the fire lane within 30-feet and not closer than 15 feet from the structure, and parallel to one entire side of the structure, if any part of the building is over 30 feet in height.  
57c.) Fire lanes shall be unobstructed; there are obstructions shown on the fire lane, remove all obstructions. Examples of obstructions: including but not limited to; parking stalls, loading zones, changes in elevation, power poles, trees, bushes, fences or posts.

58. The building shall be protected with an NFPA 13 sprinkler system and an NFPA 14 standpipe system.

59. Note: The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances. Please consider allowing the Madison Fire Department to conduct training sequences in the buildings prior to demolition. Please contact the MFD Training Division at 246-4587 to discuss this possibility.

**Water Utility** (Contact Dennis Cawley, 261-9243)

60. The Madison Water Utility shall be notified to remove the water meters prior to demolition.

61. Per MGO Sec. 13.21, all wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

**Metro Transit** (Contact Tim Sobota, 261-4289)  
This agency did not submit comments for this request.