



PLANNING DIVISION STAFF REPORT

October 1, 2018

PREPARED FOR THE PLAN COMMISSION

Project Address: 119-125 N Butler Street (District 2 – AlderZellers)
Application Type: Conditional Use
Legistar File ID # [51768](#)
Prepared By: Sydney Prusak, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Contact: James McFadden; McFadden & Company; 380 W. Washington Avenue; Madison, WI 53703

Property Owner: Cliff Fisher; 107 N. Hancock Street; Madison, WI 53703

Requested Action: The applicant requests demolition and conditional use approval to demolish two residential buildings and construct a multi-family dwelling containing more than eight (8) units in the DR-1 (Downtown Residential 1) Zoning District.

Proposal Summary: The applicant proposes to demolish a two-family residence and a four-unit apartment building in order to construct a 31-unit apartment building with underground parking.

Applicable Regulations & Standards: This proposal is subject to the standards for Conditional Uses [MGO §28.183] and Demolition Permits [MGO §28.185]. Table 28E-2 in MGO §28.072(1) identifies multi-family dwellings with more than eight (8) units as a conditional use in the DR-1 (Downtown Residential 1) Zoning District.

Review Required By: Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the approval standards for Demolition Permits and Conditional Uses are met and **approve** the demolition and conditional use requests to demolish two residential buildings and construct a multi-family dwelling containing more than eight (8) units in the DR-1 Zoning District at 119-125 N Butler Street. These requests are subject to the input at the public hearing and the conditions recommended by the reviewing agencies.

However, if the Plan Commission cannot find that Conditional Use Standard #9 is met without Urban Design Commission comment and recommendation, the Planning Division recommends that the Plan Commission refer this item to the Urban Design Commission for further review. Should the Plan Commission not find the standards are met and place this request on file, the Plan Commission shall specify its findings of fact and list the standard(s) that have not been met and the reasons such standard(s) was not met.

Background Information

Parcel Location: The subject property includes three (3) properties, with a total area of approximately 12,011 square feet (0.28-acres). The site is located within Aldermanic District 2 (Ald. Zellers) and the limits of the Madison Metropolitan School District.

Existing Conditions and Land Use: The project site includes two residential buildings and a vacant property. Further information on these homes is included in the body of this report.

Surrounding Land Use and Zoning:

North: 2-4 unit residential structures, zoned DR-1 (Downtown Residential 1);

South: 2-5 unit residential structures, zoned DR-1;

East: Small residential structures, with the largest being a 22-unit building, zoned DR-1; and

West: Capitol North Parking Ramp, zoned DR-1.

Adopted Land Use Plan: The newly adopted [2018 Comprehensive Plan](#) recommends Medium Residential (MR) for the subject site, which is defined as two to floor stories, and 20 to 90 du/ac. The reasoning for including both plans in this report is discussed in the analysis section of this report. The [Downtown Plan](#) (2012) includes this property James Madison Park Neighborhood, which is intended to accommodate a mix of dwelling units, renovation of existing houses coupled with selective redevelopment that reflects the scale and rhythm of existing structures. Further information is included in the body of this report.

Zoning Summary: The subject site is zoned DR-1 (Downtown Residential – 1) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	3,000 sq. ft.	12,011
Lot Width	> 3-unit dwellings, and non-residential and mixed-use buildings: 40'	90'2"
Front Yard Setback	15'	15'
Side Yard Setback	5'	10' south 20' north
Rear Yard Setback	Lesser of 20% lot depth or 30' (26.585')	30' (39)
Usable Open Space	40 sq. ft. per bedroom (1,680 sq. ft.)	Adequate
Maximum Lot Coverage	75%	Less than 75% (43)
Maximum Building Height	See Downtown Height Map: 4 stories	4 stories
Stepback	See Downtown Stepback Map: None	4 th story stepback

28.078(4)(a) Maximum Building Width. The maximum width of any building fronting the primary abutting street shall not exceed sixty (60) feet.

Site Design	Required	Proposed
Number Parking Stalls	None (Central Area)	14 enclosed
Accessible Stalls	Yes	Yes
Loading	None	None
Number Bike Parking Stalls	Multi-family dwelling: 1 per unit up to 2-bedrooms, ½ space per additional bedroom (31) 1 guest space per 10 units (3) (34 total)	37 enclosed 6 surface (43 total) (44)
Landscaping and Screening	Yes	Yes (46)
Lighting	Yes	Yes
Building Forms	Yes	Yes, Large Multi-Family Building (38)(45)

Other Critical Zoning Items	
Yes:	Barrier Free (ILHR 69), Utility Easements
No:	Historic District, Floodplain, Adjacent to Park, Wetlands, Wellhead Protection District, Urban Design

Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

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

Public Utilities and Services: This property is served by a full range of urban services, with multiple Madison Metro bus service along E Gorham, E Johnson, and E Washington Avenue.

Project History and Previous Approvals

The subject site has gone through many City review processes, starting in 2007 with a rezoning of the property to the Planned Unit Development (PUD) District, and subsequently, the approval of a General Development Plan (GDP) ([Legislative File 06572](#)) and Specific Implementation Plan (SIP) ([Legislative File 10860](#)). At this time a Certified Survey Map (CSM) was approved by the Common Council to combine the 119 – 125 N Butler Street and the 120-124 N Hancock Street properties, however this CSM ([Legislative File 12370](#)) was never recorded. The corresponding demolitions of 123 and 125 N Butler Street were also approved at this time. These aspects of the proposal never proceeded, and therefore the approvals have expired. Prior to their expiration, alterations to those requests, including the moving of the residence at 119 North Butler Street in advance of the larger apartment development proceeding, were approved in 2009 ([Legislative File 15413](#)). Please note, the residence formerly at 119 N Butler Street has been relocated and now that property is undeveloped. As part of the Zoning Code 2013 re-write, the subject properties were zoned into the DR-1 (Downtown Residential-1) District, consistent with the rest of the block.

In 2017, the applicant requested conditional use approval to construct a 44-unit apartment building as part of a residential building complex that included the two existing two-family residences at 120-124 N Hancock Street. The applicant also requested re-approval of the demolitions of the two buildings (123 and 125 N Butler Street) that were approved in 2007 ([Legislative File 44569](#)). The Plan Commission did not find that the Conditional Use Standards were met and voted to place the demolition permit and conditional use requests on file without prejudice. In placing this matter on file, the Plan Commission specifically stated that Conditional Use Standards #4 and #9 were not met due to the depth of the 44-unit apartment building along N Butler Street, which was inconsistent with the development pattern on the rest of the block; the concern about creating a precedent for development on the rest of the subject block; and the width of the proposed building, which members of the Commission stated needed greater articulation of the front façade.

Project Description

Similar to the 2017 proposal, the applicant now proposes to demolish two structures on N Butler Street for the purpose of constructing a new four-story, 31-unit apartment building. However, unlike the previous proposal, this development no longer includes the properties on N Hancock Street, and therefore is not considered a through-lot development nor a residential building complex. Due to this change, this proposal no longer requires Urban Design Commission (UDC) review per MGO §28.151(a).

The three properties that comprise the proposed development site will be combined into one 12,011 square-foot lot. In order to accommodate vehicles on the site, the applicant is proposing a two-way drive aisle on the north side of the apartment building. In the 2017 proposal, the applicant proposed to have a one-way drive way from N Butler Street along the south side of the building, exiting between the two existing buildings on N Hancock Street.

In regards to the buildings proposed for demolition, 123 North Butler Street is a four-unit apartment building constructed in 1938. It is nearly 2,600 square feet in area and includes six bedrooms. The property also includes a three-car detached garage. 125 N Butler Street is a two-unit apartment building constructed in 1874. That building is also about 2,600 square feet in area and includes eight bedrooms. The letter of intent notes that 125 N Butler has been extensively expanded and remodeled over the years. Photos of the buildings proposed for demolition are available here: <https://madison.legistar.com/View.ashx?M=F&ID=6561038&GUID=D032E43B-0D50-4E46-9E47-B6A90B56E8E0>.

The proposed apartment building is setback 15 feet from N Butler Street. The building is four stories and approximately 44 feet in height. The fourth floor of the building is stepped back approximately 6 feet from the front of the structure.

Although the total number of units on site has been reduced from 48 to 31, the proposal has a calculated density of approximately 112 dwelling units per acre (du/ac), as compared to the 2017 proposal of 102 du/ac. However, it is important to note that because the proposal longer contains the N Hancock Street properties, the entire subject property was reduced by 8,614 square-feet. The du/ac calculation decreases to 74 du/ac when accounting for the properties on N Hancock.

	Number of Units	Number of Bedrooms
New Building		
Studio Units	13	13
One-Bedroom Units	8	8
Two-Bedroom Units	9	18
Three-Bedroom Units	1	3
TOTAL	31	42

While the development includes a large number of smaller studio and one-bedroom units, the overall development complies with the Zoning Code’s “point” requirement for dwelling-unit type diversity in the DR-1 Zoning District. The proposed apartment has an average point value of 1.25, which is the minimum requirement in the DR-1 district. The letter of intent states that this proposal will provide smaller, more affordable units in the Downtown area. Based on the drawings, Staff estimates the typical units range in size from approximately 350 to 825 square feet. The fourth floor includes one three-bedroom unit that is considerably larger.

The site includes 14 underground parking stalls. According to the Letter of Intent, no residential parking permits will be issued to apartment residents, and that the applicant shall inform all tenants of this in their apartment leases. The revised plans include a two-way driveway along the north side of the building leading to the underground parking area. The site includes 43 total bicycle parking stalls, with 37 proposed in the building and six (6) outside. It is important to note that the previous through-lot development proposal for this site included 11 outdoor parking stalls in the rear of the site. Given the changes in the submittal, these parking stalls are no longer included in this proposal.

In terms of building materials, the new apartment building will be primarily clad with fiber cement lap siding, with accents of fiber cement paneling on the lower and top portions of the structure. Plans do not depict any “wall-pack” HVAC louver penetrations along the exterior building walls. The applicant has suggested to staff that the HVAC equipment may be located in the underground parking area. If this is the case, two (2) parking stalls would be removed to make room for the necessary equipment. While the applicant has indicated that the reduction from 14 to 12 parking stalls could lead to a narrower driveway, Traffic Engineering will not support any driveway that is less than 18 feet wide given the unique driveway curve into the parking area.

Project Analysis and Conclusion

This request is subject to the approval standards for Demolition Permits and Conditional Uses. In regards to the approval standards, the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, and finding that all of the conditional use standards of MGO §28.183(6) are met.

Conformance with Adopted Plans

As previously mentioned, this project has gone through many iterations over the years, including two different land use submittals in 2018. When this project was first submitted as a residential building complex in May 2018, the 2006 Comprehensive Plan was the adopted plan for development guidance. However, the current proposal before Plan Commission was submitted on August 15, 2018, just after the 2018 Comprehensive Plan was adopted. Therefore this application has been reviewed under the 2018 Comprehensive Plan.

Under the 2018 Comprehensive Plan, the subject site transitioned from a Downtown land use classification to a Medium Residential classification. Despite the name change, the recommended density for the subject site actually increased from 16-60 units per acre, to 20-90 units per acre. While 112 du/ac still exceeds that range, it is closer to the maximum preferred density when compared to the 2006 classification. According to the Adopted Plan, "Medium Residential (MR) areas may include a variety of relatively intense housing types, including rowhouses, small multifamily buildings, and large multifamily buildings. MR areas should be interconnected with surrounding development as part of a complete neighborhood, and should be transit oriented. MR can provide both rental and owner occupied housing, and ideally provides options for people of all ages who wish to live within a neighborhood. Special attention must be paid to the design within MR areas where the uses adjoins less intense residential development – architectural features such as stepbacks may be needed to transition MR development to less intense surrounding development."

More detailed recommendations are included in the [Downtown Plan](#) (2012). The subject site is within the James Madison Park Neighborhood, which is intended to accommodate a mix of dwelling units and promote the renovation of existing houses coupled with selective redevelopment that reflects the scale and rhythm of existing structures. Objective 4.11 and supporting recommendations 101-106 pertain specifically to the subject area. An excerpt from that Plan is included as Attachment 1. These statements and other recommendations state that redevelopment should reflect the scale and rhythm of surrounding structures, promote larger family- supportive and work-force housing in new developments, and provide ample on-site open space. The plan also recommends "relatively higher-density development" that conforms to the maximum building heights map along the subject site. As proposed, the building height conforms to the maximum at four (4) stories.

Despite these recommendations, this project consists of primarily studio and one-bedroom units, with the new apartment building just meeting the required 1.25 unit mix point score per MGO §28.078(3) Furthermore, while the applicant has provided adequate usable open space through individual unit balconies, Staff questions if ample on-site open space has been provided. Per the requirements for the Downtown Residential 1 (DR-1) Zoning District, 40 square feet of usable open space is required per bedroom, which comes out to a total of 1,680 square feet for this proposal. According to the land use application, 1,302 square feet of usable open space is provided on the ground surrounding the site, with an additional 956 square feet provided on residential balconies. Staff notes that only seven (7) units have balconies, with the majority of the units only having access to the open space at grade.

On balance, the Planning Division believes that the proposal generally conforms to the adopted plans and recommends that the Plan Commission carefully consider how the proposed development relates to its

surroundings.

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 and the intent and purpose expressed in the DR-1 Zoning District. A copy of the statement of purpose is provided as Attachment 2. 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 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 use should be compatible with adopted plans, which are discussed above.

According to the Letter of Intent, the two residential structures proposed for demolition are functionally obsolete. According to the City Assessor's Office, 123 N Butler Street is a four unit apartment building that was constructed in 1938. Furthermore, 125 N Butler is a two unit apartment building constructed in 1874.

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 4, 2018 meeting, the Landmarks Commission found that the building at 123 North Butler had historic value related to the vernacular context of Madison's built environment, but the building itself was not historically, architecturally, or cultural significant. The Landmarks Commission further noted that the building at 125 North Butler Street had no known historic value.

Staff believes that the Demolition Approval Standards can be found met.

Conditional Use Approval Standards

The Plan Commission shall not approve a conditional use without due consideration of the City's adopted plans and finding that all of the Conditional Use Standards of MGO §28.183(6) are met. According to Table 28E-2, a multi-family dwelling with more than eight (8) units is a conditional use in the DR-1 (Downtown Residential -1) Zoning District. In regards to the approval standards, in 2017 the Plan Commission found that Standards #4 and #9 were not met.

Conformance with adopted plans is discussed above. Compared to the 2017 proposal, the applicant has made some modifications to the building and site design. A primary concern in the previous submittal was the depth of the building. At 113 feet, the building extended deeply into the site's existing rear yard and was not believed to be consistent with the surrounding development pattern, where most existing structures are between 50 and 70 feet. This was permissible under the standards for through-lot development. Since a through-lot development is no longer proposed, the lot must conform to the DR-1 Zoning Requirements. Under the current proposal, the applicant has reduced the building depth to 88 feet. While the 25 foot reduction helps make the project more consistent with the surrounding development pattern, Staff notes that it would still be the deepest building on the block, though setbacks comply with rear yard setback requirements. With the reduction in building depth,

the total unit count has been reduced to 31, compared to 44 as proposed in 2017.

The applicant has also since eliminated the properties on N Hancock Street from this development. This addresses Traffic Engineering's concerns about a one way driveway off of N Hancock. Therefore, this proposal is no longer considered a through-lot development or a residential building complex. Staff believes that because this is now a stand-alone, multi-family residential building, it conforms better to the surrounding neighborhood development. As mentioned in the previous section, the applicant is considering locating the HVAC equipment in the underground parking area, which would result in the removal of two (2) parking stalls for residents. While staff has some concerns about the loss of two stalls, the Planning Division believes that it may be possible to find the Conditional Use Standards are met with 12 or 14 stalls. Furthermore, the applicant has indicated that by reducing the amount of parking from 12 to 14, the driveway width could also be reduced. Traffic Engineering does not support a reduction in the driveway width given the tight curve into the parking area.

Conditional Use Standard #9 states, "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." During the review of this project, staff raised design concerns regarding the size and shape of the roof, the lack of articulation on the sides and rear of the building, the predominance of fiber cement lap siding, the need for a more architecturally enhanced front door, and more defined balconies on the front of the building. In response, the architect has made some modifications, namely the roof pitch and alterations to the front railing details. If that Plan Commission cannot find that Conditional Use Standard #9 is met, staff recommends that the Commission refer this project to UDC for further review.

Given the changes to both the site and building since the 2017 submittal, staff believes that it is possible that the Plan Commission can find that Conditional Use Standards #4 and #9 are met. The Planning Division believes the most prominent and desirable change being that the N Hancock properties are no longer included in the proposal.

Conclusion

The applicant requests approval to demolish two structures at 123 and 125 North Butler Street for the purpose of constructing a new four-story 31-unit apartment building. The subject site is currently comprised of three individual properties and two residential buildings. The two existing residences at 120 and 124 North Hancock Street are no longer included as part of the new development. A Certified Survey Map (CSM) would be necessary to combine the properties along N Butler Street, and that has not yet been submitted.

Since the 2017 proposal, the applicant has reduced the depth of the building, which was a primary concern for the Planning Division in previous applications. Staff also had concern the on design of protruding balconies, which have been removed all together. Additionally, while the proposal appears to meet the open space requirements, a majority of units do not have balcony space and only have access to 1,302 square feet of at grade open space. Despite these concerns, the proposed building is consistent with Zoning requirements and is more consistent with the depth of surrounding structures.

While the proposed development is the largest on the block, the Planning Division believes that it is possible for the Plan Commission to find that this request meets the standards for demolition and conditional uses. The proposal has gone through many iterations and staff believes that this current application best conforms to the adopted plans and the conditional use approval standards. The Plan Commission should give careful consideration to the application materials, adopted plan recommendations, and public comment in evaluating

this request.

At the time of report writing, Staff was not aware of any neighborhood concerns on this request.

Recommendation

Planning Division Recommendation (Contact Sydney Prusak, (608) 243-0554)

The Planning Division recommends that the Plan Commission find that the approval standards for Demolition Permits and Conditional Uses are met and **approve** the demolition and conditional use requests to demolish two residential buildings and construct a multi-family dwelling containing more than eight (8) units in the DR-1 Zoning District at 119-125 N Butler Street. These requests are subject to the input at the public hearing and the conditions recommended by the reviewing agencies.

However, if the Plan Commission cannot find that Conditional Use Standard #9 is met without Urban Design Commission comment and recommendation, the Planning Division recommends that the Plan Commission refer this item to the Urban Design Commission for further review. Should the Plan Commission not find the standards are met and place this request on file, the Plan Commission shall specify its findings of fact and list the standard(s) that have not been met and the reasons such standard(s) was not met.

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

Planning Division (Contact Sydney Prusak, (608) 243-0554)

1. Prior to final sign-off and issuance of demolition or building permits for the apartment building, proof of financing and executed contracts with construction firms for the entire scope of the project shall be provided for review and approval by the Director of Planning and Community and Economic Development, which shall indicate that the project, once started, can be completed consistent with the approved plans.
2. A Certified Survey Map (CSM) shall be approved and recorded prior to final sign off.
3. No HVAC "wall-pack" penetrations/louvers are shown on the street-facing facades. Unless specifically approved by the Plan Commission, the addition of wall packs on outward-facing walls is not included in this approval and will require approval of an alteration to this conditional use should they be approved at a later time.
4. The final width of the driveway shall be approved by Traffic Engineering prior to final sign off.

Engineering Division - Main Office (Contact Brenda Stanley, (608) 231-9127)

5. This existing parcel allows drainage out to Hancock for a large area. The plan shall be revised to show how that drainage pattern will be accommodated as part of the development.

6. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. The permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))

7. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)
8. Developer needs to submit utility plan to show how utilities will provide sewer and water to this development.
9. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR in order to comply with TMDL limits.
10. The site plans shall be revised to show the location of all rain gutter down spout discharges. (POLICY)
11. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement. (POLICY)
12. The Applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number:
 - a) Building Footprints
 - b) Internal Walkway Areas
 - c) Internal Site Parking Areas
 - d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
 - e) Right-of-Way lines (public and private)
 - f) Lot lines or parcel lines if unplatted
 - g) Lot numbers or the words unplatted
 - h) Lot/Plat dimensions
 - i) Street names
 - j) Private on-site sanitary sewer utilities (including all connections to public sanitary)
 - k) Private on-site storm sewer utilities (including all connections to public storm)

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email CAD file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.

13. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)) PDF submittals shall contain the following information:

- a. Building Footprints
 - b. Internal Walkway Areas
 - c. Internal Site Parking Areas
 - d. Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
 - e. Right-of-Way lines (public and private)
 - f. Lot lines or parcel lines if unplatted
 - g. Lot numbers or the words unplatted
 - h. Lot/Plat dimensions
 - i. Street names
 - j. Stormwater Management Facilities
 - k. Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
14. The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including: a) SLAMM DAT files b) RECARGA files c) TR-55/HYDROCAD/Etc d) Sediment loading calculations. 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. (POLICY and MGO 37.09(2))
15. This project appears to require construction dewatering. A dewatering plan shall be submitted to City Engineering as part of the Erosion Control Permit application and plan. 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.
16. 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. Include copies of all stormwater, utility, and detail plan sheets that contain stormwater practices on 8.5x14 size paper in the draft document. These drawings do not need to be to scale as they are for informational purposes only. Once City Engineering staff have reviewed the draft document and approved it with any required revisions submit a signed and notarized original copy to City Engineering. Include a check for \$30.00 made out to Dane County Register of Deeds for the recording fee. City Engineering will forward the document and fee for recording at the time of issuance of the stormwater management permit. Draft document can be emailed to Tim Troester (west) at ttroester@cityofmadison.com, or Jeff Benedict at jbenedict@cityofmadison.com final document and fee should be submitted to City Engineering.
17. 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 24-hr, 100-yr design storm. 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.
18. The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity. (POLICY)
19. 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 5.0 tons per acre per year.

20. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required. (NOTIFICATION)
21. This project will require a concrete management plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office.(POLICY)
22. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to Reduce TSS by 80% off of the proposed development when compared with the existing site.
23. The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. (MGO 16.23(9)(d)(6))This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
24. The Applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number:a) Building Footprintsb) Internal Walkway Areasc) Internal Site Parking Areasd) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)e) Right-of-Way lines (public and private)f) Lot lines or parcel lines if unplattedg) Lot numbers or the words unplattedh) Lot/Plat dimensionsi) Street namesj) Private on-site sanitary sewer utilities (including all connections to public sanitary)k) Private on-site storm sewer utilities (including all connections to public storm)All other levels (contours, elevations, etc) are not to be included with this file submittal.NOTE: Email CAD file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.

Engineering Division - Mapping (Contact Jeffrey Quamme, (608) 266-4097)

25. The proposed new building will cross an underlying platted lot line. Current fire code and City enforcement requires the underlying platted lot line be dissolved by Certified Survey Map (CSM) prior to issuance of a building permit. A CSM and required supporting information shall be prepared and submitted to the City of Madison Planning Department. The CSM shall be approved by the City and recorded with the Dane County Register of Deeds prior to issuance of a building permit.
26. Note: 121 N Butler St is the correct address of the proposed building. 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.

27. The final site plan shall identify lot numbers of the future recorded Certified Survey Map or Plat.

28. Utilities exist along the rear of this proposed site. Applicant shall coordinate with the utilities any relocation of existing facilities required and also shall provide a utility easement on the required Certified Survey Map as required by those utilities crossing this site.
29. Apartment numbers on submittal are not valid for addressing. Submit a Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan for each floor on a separate sheet for the development of a complete interior addressing plan. The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) prior to the application submittal for the final Site Plan Approval 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)

30. 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. 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. 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. One-size-fits all Parking standards require all stall to be a minimum of 8.75 feet by 17 feet clear. This means no items are within that space including structural columns; the applicant shall modify the plan to meet the standards of MGO 10.08.
33. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
34. 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.

Zoning (Contact Jenny Kirchgatter, (608) 266-4569)

35. The developer shall enter into an agreement with the City of Madison, agreeing to complete the proposed project according to all zoning approvals and in compliance with all other city ordinances, including the zoning code and building code, and shall provide an irrevocable letter of credit in favor of the City of Madison in the amount of 5% of the project cost with terms allowing the city to call the letter if the developer fails to complete the proposed project as described in the Agreement with the City. Calling of the letter of credit acts as liquidated damages for the failure complete the proposed project. The developer will remain fully liable for any violations resulting from his failure to comply with the law, and for any corrections.
36. The Developer shall resolve all outstanding violations as found by the Municipal Court for the properties located at 5 S. Blair St. (605 E. Washington), 15 S. Blair St. and 19 S. Blair St. and shall implement the changes shown on the approved site plan to the satisfaction of the Building Inspection Division Director prior to the issuance of any building permits for the proposed project.
37. The developer shall provide proof of a construction management contract with a contractor who will be responsible for managing the construction of the project.
38. Increase the height of the ground story to a minimum of twelve (12) feet in height. The minimum ground story height is twelve (12) feet measured from the sidewalk to the second story floor. Upper stories shall not exceed fourteen (14) feet floor to floor.
39. The trash room may not project into the rear yard setback. The rear yard setback is 20% of lot depth (26.59 feet).
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 (608-266-4682).
41. Section 28.185(10) 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.
42. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
43. Provide a calculation and plan detail for lot coverage with the final submittal. The lot coverage maximum is 75%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.
44. 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. A minimum of 31 resident bicycle stalls are required plus a minimum of three (3) short-term guest stalls. Up to twenty-five percent (25%) of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking. Identify and label the locations of the enclosed and surface bicycle stalls on the plans, and show the dimensions of the bike stalls and access aisles. NOTE: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Submit a detail of the proposed bike racks, including any structured or wall mount bike racks.

45. Provide details showing that the primary street façade meets the door and window opening requirements of Section 28.071(3)(e). For street-facing facades with ground story residential uses, ground story openings shall comprise a minimum of fifteen percent (15%) of the façade area, and upper story openings shall comprise a minimum of fifteen (15%) of the façade area per story.
46. Verify the proposed locations of HVAC and mechanical equipment. If rooftop mechanical equipment is proposed, submit a rooftop plan showing the location of any proposed mechanical equipment and screening. All rooftop equipment except for solar and wind equipment shall be screened from view from adjacent streets and public rights-of-way per Sections 28.071(3)(h) and 28.142(9)(d). Screens shall be of durable, permanent materials that are compatible with the primary building materials.
47. 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.

Fire Department (Contact William Sullivan, (608) 261-9568)

48. At the time of report writing, this agency did not provide comments or conditions of approval.

Parks/Forestry (Contact Kathleen Kane, (608) 261-9671)

49. 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 North Park -Infrastructure Impact Fee district. Please reference ID# 18147 when contacting Parks about this project.
50. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
51. Additional street trees are needed for this project. All street tree planting locations and trees species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction –
52. Contractor shall contact City Forestry Brad Hofmann bhofmann@cityofmadison.com or 266-4816 at least one week prior to planting to schedule inspecting the nursery stock and review planting specifications with the landscaper.
53. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266- 4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2018/Part1.pdf>. Any tree removals that

are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.