



PREPARED FOR THE URBAN DESIGN COMMISSION AND PLAN COMMISSION

**Project Address:** 740 Jenifer Street  
**Application Type:** Certified Survey Map and Zoning Map Amendment  
**Legistar File ID #** [34909](#) and [35009](#)  
**Prepared By:** Timothy M. Parks, Planning Division  
Report includes comments from other City agencies, as noted.  
**Reviewed By:** Katherine Cornwell, Planning Division Director, and Steve Cover, Director, Department of Planning and Community and Economic Development

## Summary

**Applicant & Property Owner:** Michael Matty, Renaissance Property Group; 2132 Fordem Avenue; Madison.

**Surveyor:** Michelle Burse, Burse Surveying & Engineering, Inc.; 1400 E. Washington Avenue, Suite 158; Madison.

**Requested Actions:** Approval of a request to rezone 740 Jenifer Street from TR-V1 (Traditional Residential–Varied 1 District) to PD (Planned Development District) and approval of a General Development Plan and Specific Implementation Plan to allow construction of an 12-unit apartment building on Williamson Street and renovation of the existing single-family residence on Jenifer Street; and approval of a Certified Survey Map (CSM) creating 2 lots for the residential buildings.

**Proposal Summary:** The applicant is requesting approval to construct a four-story, 12-unit apartment building on a 4,403 square-foot lot to be created on the Williamson Street side of the existing parcel addressed as 740 Jenifer Street. The existing single-family residence of the same address will occupy a 3,876 square-foot lot to be created on the Jenifer Street side of the parcel. The applicant proposes to remove a more recent addition to the existing residence as part of a comprehensive renovation of that building. Construction of the apartment building will commence as soon as all regulatory approvals have been granted. The renovation of the single-family residence at 740 Jenifer will commence following final Landmarks Commission-related approvals for that aspect of the development. No completion dates are identified for either component of the project.

**Applicable Regulations & Standards:** Section 28.182 of the Zoning Code provides the process for zoning map amendments. The approval process and standards for Planned Development districts is outlined in Section 28.098 of the Zoning Code. The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Regulations. Section 16.23(3)(a)4 requires that the Plan Commission consider the recommendations of the Landmarks Commission under Section 33.19(5)(i)1 for any land divisions and subdivision plats of landmark sites and properties in historic districts regarding lot sizes.

Section 33.19(5)(i)1 allows the Landmarks Commission to review proposed land divisions and subdivision plats of landmark sites and properties in historic districts and make an advisory to the Plan Commission on whether the proposed lot sizes will negatively impact the historic character or significance of a landmark or landmark site and whether the proposed lot sizes are compatible with adjacent lot sizes and maintain the general lot size pattern of the Historic District.

**Review Required By:** Urban Design Commission, Plan Commission and Common Council.

**Review Schedule:** The State’s subdivision statute, Wis. Stats. 236, requires that a CSM be approved, conditionally approved, or rejected (with stated reasons) within 90 days of submittal unless the time is extended

by agreement with the applicant. If no action is taken within 90 days and no extension granted, the CSM is deemed approved. The CSM application was submitted to the City on July 16, 2014. Therefore, the 90-day review period for this CSM is scheduled to expire circa October 16, 2014.

**Summary Recommendation:** Please consult the specific recommendations for the zoning map amendment and CSM found on page 8 of this report.

## Background Information

**Parcel Location:** The subject site is 8,219 square-foot (0.19-acre) through-block parcel located in the middle of the south side of the 700-block of Williamson Street bounded by Jenifer and S. Livingston streets, Third Lake Ridge Historic District; Aldermanic District 6 (Rummel); Madison Metropolitan School District.

**Existing Conditions and Land Use:** The subject site is developed with a two-story single-family residence located on the Jenifer Street side of the through-block parcel within 12 feet of the street and a detached garage along the westerly property line. The remainder of the property north of the residence is undeveloped and is characterized by mature overstory trees and a modest embankment along Williamson Street. The entire parcel is currently zoned TR-V1 (Traditional Residential–Varied 1 District).

### Surrounding Land Uses and Zoning:

**North:** The Olds Building, El Dorado Grill, Ground Zero coffeehouse, Wisconsin Council of the Blind and surface parking, zoned TSS (Traditional Shopping Street District);

**South:** Single-, two- and multi-family residences on the south side of Jenifer Street, zoned TR-V1 (Traditional Residential–Varied 1 District) and TR-V2 (Traditional Residential–Varied 2 District);

**West:** Single- and two-family residences and Kerr-McGee Triangle Park, zoned TR-V1;

**East:** Single- and two-family residences, zoned TR-V1.

**Adopted Land Use Plans:** The Comprehensive Plan identifies the subject site and properties on the south side of the 700-block of Williamson Street for Medium-Density Residential uses.

The subject site is also located within the boundaries of the Marquette-Schenk-Atwood Neighborhood Plan, which contains no specific land use recommendations for the south side of the 700-block of Williamson Street but does not discourage the continuation of residential uses in that block.

The 2004 Williamson Street Design Guidelines and Criteria for Preservation – 600-1100 Blocks include numerous design guidelines and criteria applicable to the site, including a recommendation that new construction on this site be limited to 2 ½ stories. A full analysis of the design recommendations applicable to this project follows.

**Zoning Summary:** The site will be zoned PD with this request. The project will be reviewed in the following sections.

Other Critical Zoning Items	
Yes:	Urban Design (PD zoning), Utility Easements, Landmarks (local district)
No:	Barrier Free, Wellhead Protection, Floodplain, Waterfront Development, Adjacent to Parkland
<i>Prepared by: Pat Anderson, Assistant Zoning Administrator</i>	

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

**Public Utilities and Services:** The site is served by a full range of urban services, including seven-day Metro Transit service along Jenifer Street.

## Project Description

The subject site and existing two-story 1894 residence are located on a block mostly developed with single- and two-family residences on the south side of the 700-block of Williamson Street east of Kerr-McGee Triangle Park. The site is located across Williamson Street from surface parking for the Olds Building, El Dorado Grill and Ground Zero coffeehouse, which are located in TSS zoning. The site and surrounding properties are located in the Third Lake Ridge Local Historic District, which generally extends between S. Blair and S. Dickinson streets and Williamson Street and Lake Monona, and the entire triangular block is zoned TR-V1.

The applicant is requesting two distinct approvals. First, the applicant has submitted a Certified Survey Map (CSM) to divide the subject site into 2 lots creating a line parallel to Williamson Street where a jog in the northeasterly side property boundary occurs. Lot 1 of the CSM proposes a 58-foot wide and 76-foot deep parcel adjacent to Williamson Street, which is undeveloped and characterized by a wooded embankment next to the sidewalk. Lot 2 will contain the residence and driveway; a detached garage will be removed. The applicant proposes to remove a more recent addition at the rear of the house and to renovate the original 1894 structure.

The proposed Planned Development calls for a four-story, 12-unit apartment building to be constructed on Lot 1 of the CSM. The first floor of the building at the grade of Williamson Street will include a lobby for residents and a parking garage for 6 automobiles, including 1 accessible stall, a trash room and bike parking. Access to the garage is proposed at the northwesterly corner of the building. The 12 units will consist of 9 efficiency units and 3 one-bedroom units based on the floorplans submitted for review (the letter of intent characterizes the number and type of proposed units differently). The building will be constructed into the embankment, with the first residential floor located one story above Williamson Street but at the grade present at the center of the property. A setback of approximately 5 feet is proposed along the side and rear walls of the proposed building, with a setback of 2 feet from its closest point as measured from the Williamson Street property line.

## Analysis

Planning and Zoning staff do not believe that the 12-unit apartment building can be developed without Planned Development zoning, since its density and placement does not meet the various bulk requirements of any conventional zoning district. Initially, the Zoning Administrator and applicant discussed maintaining the TR-V1 zoning for the existing residence on proposed Lot 2 and only rezoning Lot 1 to PD to accommodate the proposed apartment building. However, neither proposed lot provides the minimum 100-foot lot depth required for new lots per Section 16.23(8)(d)3 of the Subdivision Regulations. This requirement does not apply to lots created in PD zoning, hence the proposal to rezone the entire site. [Note: Section 16.23(10) allows the Plan Commission to grant a variance to the design requirements of Section 16.23(8) if it finds that an "extraordinary hardship would result" from a literal application of those provisions.]

Regarding the proposed CSM to create a separate lot for the undeveloped portion of the site northwest of the residence, the Planning Division believes that the proposed land division creates 2 lots that take advantage of the odd configuration of the parcel. As designed, both proposed lots will meet the minimum lot area and width requirements for new lots in the existing TR-V1 district, which calls for a minimum of 30 feet of lot width and

3,000 square feet of lot area are required for single-family detached residences, while Lot 1 could support up to a two-family flat, which requires a 40-foot wide lot with a minimum of 4,000 square feet of area. Other residential uses of Lot 1 containing more than 2 units in a flat-style building would require greater lot area under the existing zoning. Both proposed lots are also generally consistent with the other residential lots in this portion of the Third Lake Ridge Historic District, and the City's preservation planner and the Landmarks Commission found that the proposed land division was compatible with adjacent lot sizes and maintained the general lot pattern in the historic district (see attached reports).

However, while the Planning Division is generally supportive of the proposed land division and the applicant's proposal to renovate the single-family residence on the Jenifer Street side of the site, it does not believe that the standards of approval for the overall Planned Development district can be met given the proposal to construct a four-story, 12-unit apartment building on the Williamson Street portion of the site. Without the proposed PD zoning of the subject site, the CSM cannot proceed due to the insufficient lot depth previously noted unless a variance to the Subdivision Regulations is granted.

Section 28.098 of the Zoning Code states that the Planned Development (PD) district was established to provide a voluntary regulatory framework to facilitate the development of land in an integrated and innovative fashion, to allow for flexibility in site design, and to encourage development that is sensitive to environmental, cultural, and economic considerations. Among the relevant goals and objectives of the PD district are the promotion of integrated land uses allowing for a mixture of residential, commercial, and public facilities along corridors and in transitional areas with enhanced pedestrian, bicycle and transit connections and amenities, and the facilitation of high-quality development that is consistent with the goals, objectives, policies, and recommendations of the Comprehensive Plan and adopted neighborhood, corridor or special area plans.

A stated goal of the PD district is for it to be rarely used, with the PD district "only for unique situations and where none of the base zoning districts address the type of development or site planning proposed." In order to rezone property to the PD district, the applicant must demonstrate that no other zoning district can be used to achieve a substantially similar development. Planned developments should not be used simply for the purpose of increasing overall density or allowing development that otherwise could not be approved unless the development site features conditions such as steep topography or other unusual physical features or redevelopment of an existing area or use of an infill site that could not be reasonably developed under conventional zoning. The planned development is also required to facilitate the development goals of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans.

The Comprehensive Plan identifies the subject site, the other properties on the south side of the 700-block of Williamson Street, and a large portion of the interior of the Marquette neighborhood centered on Spaight Street from Blount Street to the Yahara River for Medium-Density Residential uses. In addition, the following Generalized Future Land Use Map note (7) applies to this area:

*"This portion of the neighborhood consists primarily of buildings that are "house-like" in character, although there is a scattering of apartment-style buildings as well. The Medium-Density Residential designation reflects the current density resulting from past conversions of many larger houses to multi-family use, but is not intended to encourage further conversions or the replacement of existing homes with new buildings that are out of scale and character with the existing housing stock. It is recommended that the essentially "house-like" residential character of the area be retained, and any limited infill redevelopment generally should maintain the small-lot rhythm of individual houses on separate lots, and be designed to look like single-family, two flat or three flat homes."*

In general, the Medium-Density Residential land use district would support the development of multi-family dwellings at a range of 16-40 units per acre. However, the guidance provided by the map note recommends that infill development in this medium-density district maintain the particular scale and rhythm present in the area, which staff does not believe the proposed building accomplishes. The proposed building is both one story taller than the scale of residential buildings on the south side of Williamson Street compared to the mostly taller commercial buildings present opposite, and does not maintain the rhythm of the narrower, house-like structures present elsewhere on this block. While the applicant's materials suggests that the mass of the 12-unit building is comparable to the massing of 4 single- and two-family residences on individual parcels located to the west between the site and Kerr-McGee Triangle Park, staff notes that those buildings and parcels are long-established with the exception of the single-family residence at 731 Williamson Street, which was constructed in 2008 and replaced another building of similar stature on that parcel. The 118-unit per acre density that will result on Lot 1 also greatly exceeds the maximum density recommended for Medium-Density Residential development in the Comprehensive Plan.

More detailed planning for the subject site and surrounding area is included in the [Williamson Street Design Guidelines and Criteria for Preservation – 600-1100 Blocks](#) (hereinafter, "WSDG") which was adopted in 2004 as a supplement to the 1994 Marquette-Schenk-Atwood Neighborhood Plan. The plan was adopted to provide design assistance for those owning or seeking to develop property in the 600 to 1100 blocks of Williamson Street, and to serve as a reference for property owners, developers, and neighborhood residents, and for public officials responsible for reviewing the exterior appearance of development plans within the area. The plan specifically notes that the guidelines are not intended to prohibit creative approaches to individual building designs.

The plan includes 7 general principles for the corridor and supporting themes (pages 12-15) *[as applicable to project]*:

1. *Preserve Transitional Neighborhood Scale - Avoid drastic changes of scale between buildings on the same block. Step back taller buildings from the street edge, and vary roof-lines to articulate massing of larger buildings. Articulate the massing of larger buildings with varied rooflines and setbacks. Maintain the rhythm of visual breaks and openings in the block face.*
2. *Define Street Edges - Residential buildings set back from street helps define street edge and provides a measure of separation and privacy for residential units.*
3. *Integrate, Connect, and Enclose Public Spaces - Create pedestrian connections, passageways and streetscapes, and define outdoor spaces with landscape features, attractive edges, and sides of buildings.*
4. *Mend Gaps in Neighborhood Fabric - Redevelop non-historic sites appropriate to the scale and historic pattern of the neighborhood, and locate off-street parking behind or beneath buildings*
5. *Accent Neighborhood Entries and Edges – [Principle not applicable to mid-block residential-only building]*
6. *Preserve the Existing Building Patterns and "Rhythm" of Buildings and Exterior Spaces - The pattern of historic building groups is prevalent on the south side of [Williamson] Street; Vary or modulate the configuration and size of new development to conform to established (single-lot) development patterns. Preserve the characteristic range of size of front and side yard setbacks.*
7. *Preserve the Relationship between Commercial and Residential Uses - [Principle not applicable to mid-block residential-only building]*

Not all of the above provisions apply to the proposed development. While the proposed building could be viewed as mending the Williamson Street blockface, its scale and rhythm does not follow the existing development pattern on this block, which is primarily characterized by two-story residences with exposed

basements along Williamson Street and gabled roofs. Staff feels that the four-story modern design and material palette of the proposed building, which features a flat roof, exposed concrete, metal panels and angled wall elements to mimic pitched roofs, will result in a proposal that is incompatible with the adjacent residential buildings on the south side of the street.

The WSDG also includes specific design guidelines for all new construction with the following themes (see pages 26-29):

1. *Reflect local building traditions without being falsely historic*
2. *Do not “under design” or “over design”*
3. *Incorporate design features that promote neighborhood interaction and connectivity*
4. *Moderate the scale and volume of larger buildings*
5. *Preserve sense of physical/visual continuity throughout the neighborhood*
6. *Use familiar proportions, dimensions, shapes and materials*
7. *Seek precedents for unusual design features*
8. *Commercial buildings [specific requirements not applicable to this project]*
9. *Design the sides, rear, and tops of buildings, not just the front facades*

*And for smaller-scale infill projects:*

10. *Smaller-scale infill sites as “missing teeth” in an otherwise cohesive group of buildings associated by age, style, or development type.*
11. *Architectural conformity should increase with architectural concentration*

The additional guidelines for small-scale infill developments are intended to ensure that infill projects such as the subject proposal conform to the historic character and scale of Williamson Street. Infill projects are small-scale projects consisting of either a single or double lot that generally do not exceed 50 feet of street frontage. The guidelines strongly encourage that infill structures have a high degree of architectural conformity with their immediate surroundings and that they observe the established scale and proportions of adjacent structures. The architectural conformity of a new building should increase commensurate with the architectural concentration on a particular block, with the use of historic forms, symbols, and details on new buildings recommended to increase with the number of preserved buildings.

Staff does not believe that the proposed apartment building achieves most of the guidelines in this section. The proposed building does not moderate its scale or mass despite being proposed as the tallest building on the south side of Williamson Street if approved, nor does it employ familiar proportions, dimensions, shapes and materials. Instead the building includes an architectural style, design elements and building materials that emphasize its unique scale and volume in this block. The building also does a minimal job of including the features recommended to promote neighborhood interaction, with a diminutive ground level residential entry sharing the street-facing façade with the outside wall of an elevator shaft and overhead garage door.

Finally, the WSDG includes more detailed criteria for the review of new construction for 4 different zones along the corridor (see pages 31-38). In general, all new construction must be compatible with and not detract from the historic character of the Third Lake Ridge Historic District. The criteria are intended not to require faux historic buildings, but to allow modern buildings to have their own style while still blending with the appearance of the historic buildings in the district. New buildings should be designed to reflect the patterns and rhythm of masses and spaces and be compatible with that of surrounding buildings. A building of larger than typical mass may be appropriate if it is broken into elements that are visually compatible with the mass of surrounding buildings.

The Williamson Street frontage of the site is located in Zone 1, which recommends that the height of new buildings on the south side of Williamson Street be limited to 2 ½ stories consistent with the predominant building heights in that zone. The WSDG include separate massing recommendations for residential buildings and commercial/ mixed-use buildings in Zone 1. For residential buildings, the street facades of residential buildings shall be articulated with dormers, bays, porches, and other architectural details to visually reduce the apparent mass of the new building and to blend with the details of older existing residential buildings. Residential buildings shall have one or more porches and at least one entry door on the main street façade that is large enough to be a focal point on the facade. The criteria also include detailed front yard requirements that vary depending on context in Zone 1, with a minimum front yard of 6 feet recommended. The design criteria encourage parking to be located underground or in structures wherever practical, with parking for residential structures to be provided at a ratio of 0.75 spaces per new unit. However, structured parking is recommended to not detract from the historic character of the district. Finally, building materials and architectural element recommendations in Zone 1 include an emphasis on the use of masonry and wood clapboards (5 inches or less in width) to side new buildings to reflect the predominance of those materials in the corridor, although the criteria offers greater flexibility in allowable building materials compared to the other criteria.

Staff does not believe that the proposed four-story building comports to the more significant of the design criteria summarized above. Of particular note, the proposed building is greater than one story taller than the height recommended for the entire south side of Williamson Street. The building is also located closer to the front property line and generally covers more of the site when the recommended side and rear yards for new residential buildings are also considered. The first floor façade of the proposed apartment building along Williamson Street also does not support the broader design goals in Zone 1, which encourage the use of architectural details to visually reduce the mass of a new building and to blend with the details of older existing residential buildings. The first floor shown includes a prominent exposed concrete wall and garage door that provides limited interaction with the sidewalk save for the small residential entrance. Staff also questions whether the under-building parking, which does not provide the amount of parking that would be required for 12 units in a conventionally zoned project (12 stalls) or as recommended by the WSDG (0.75 stalls per unit (9 stalls)), is detracting from the historic character of the district and preventing a project on the site from better complying with the myriad design criteria and guideline recommended for the south side of Williamson Street.

## Conclusion

The applicant is requesting approval of a rezoning of his 0.19-acre parcel to the Planned Development district to facilitate the division of that parcel into 2 lots and the construction of a four-story, 12-unit apartment building on the Williamson Street side of the through-block parcel. Staff has determined that the parcel cannot be split without the proposed PD zoning or a variance to the lot depth requirement in the Subdivision Regulations.

However, staff does not support the proposed construction of the apartment building as proposed, which does not meet the standards for approval for zoning map amendments to the Planned Development district. The proposed planned development is inconsistent with a number of specific design guidelines and criteria in the 2004 Williamson Street Design Guidelines and Criteria for Preservation – 600-1100 Blocks, including the height of the building, which the guidelines recommend be limited to 2 ½ stories. Staff also feels that the building is located closer to Williamson Street and generally covers more of the site when the recommended side and rear yards for new residential buildings are also considered, and that the design of the first floor of the building adjacent to the sidewalk does not reflect the design characteristics encouraged in the guidelines. The rezoning is also not consistent with the map note applicable to this portion of the Marquette neighborhood in the Comprehensive Plan, which discourages new buildings that are out of scale and character with the existing housing stock in this area.

Despite the concerns about the apartment building proposed along Williamson Street, which staff recommends not be approved, staff is generally supportive of the proposed land division and the applicant's proposal to renovate the single-family residence on the Jenifer Street side of the site. Should the Plan Commission support the division of the parcel as shown on the proposed CSM, it should specify that approval is based on the existing TR-V1 zoning and not the proposed PD zoning.

The Landmarks Commission has reviewed the proposed land division, renovation of the single-family residence and the plans for the apartment building and recommended that the Plan Commission approve the CSM and granted Certificates of Appropriateness for both building projects (see the attached reports).

## Recommendation

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

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00142 and 28.022–00143, rezoning 740 Jenifer Street from TR-V1 to PD and approving a General Development Plan and Specific Implementation Plan to allow construction of an 12-unit apartment building on Williamson Street and renovation of an existing single-family residence on Jenifer Street, to the Common Council with a recommendation to **place on file**. In the event that the Plan Commission can find that the proposed rezoning meets the standards, it should recommend approval of the project to the Common Council following a recommendation by the Urban Design Commission and subject to input at the public hearing and the conditions that follow.

The Planning Division recommends that if the Plan Commission can find the standards for land divisions met with this request, it may **approve** the Certified Survey Map for the property subject to input at the public hearing and the conditions that follow only if it also approves the Planned Development rezoning or specifies that the approval is based on the existing TR-V1 zoning AND grants a variance per Section 16.23(10) to the design requirements of Section 16.23(8) if it finds that an "extraordinary hardship would result" from a literal application of those provisions.

### Planning Division conditions

1. The development plans shall be revised for final Planning Division approval prior to recording and the issuance of building permits as follows:
  - 1a. Provide a detailed plan of how the 20% required open space in Section 28.098 of the Zoning Code is being provided for this development, including all applicable yard spaces and all porches and balconies;
  - 1b. Provide complete site, grading and landscaping plans that include dimensions for all yards/ setbacks for both buildings from existing and proposed lot lines;
  - 1c. Provide interior dimensions for the residential lobby, all parking spaces and the access aisle for the first floor garage.
2. The zoning text shall be revised for final Planning Division approval prior to recording and the issuance of building permits to remove references to an architectural review committee in the "Alterations" section.



**The following conditions have been submitted by reviewing agencies:**

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

***Comments on Rezoning:***

3. The base address of the proposed apartment building is 739 Williamson Street.
4. The pending CSM application and any conditions of approval thereof shall be completed and the CSM recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.
5. Remove the raised planter shown to encroach into the public right of way of Williamson Street.
6. Each building shall have a separate sanitary lateral. Verify and document the location of existing active lateral serving the existing house is served off of Jenifer Street.
7. Detail how the apartment building site plan shall accommodate the runoff from the existing house.
8. Provide a 3-foot wide public sidewalk easement along Williamson Street to allow for wider terraces and construct new sidewalk along the site in the new location.
9. Provide a detailed sidewalk plan for review and approval by the City Engineer. A Permit to Excavate in the Right of Way shall be required for the sidewalk installation along with a deposit to guarantee installation of the public improvements. This shall be done in lieu of a Developer's Agreement.
10. Provide a proposed site grading and utility plan with the final site plan approval. More comments may be provided from Engineering based on the additional information.
11. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat and include a full and complete legal description of the site or property being subjected to this application.
12. The site plan shall include all lot/ ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
13. In accordance with 10.34 MGO, Street Numbers, submit a PDF of each floorplan to Lori Zenchenko ([lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com)) at Engineering-Mapping so that a preliminary 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. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
15. The applicant shall replace all sidewalk and curb and gutter that abuts the property that is damaged by the construction, or any sidewalk and curb and gutter, which the City Engineer determines needs to be replaced

because it is not at a desirable grade, regardless of whether the condition existed prior to beginning construction.

16. The applicant shall provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
17. All work in the public right of way shall be performed by a City-licensed contractor.
18. All damage to the pavement on Williamson Street and Jenifer Street adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
19. The site plans shall be revised to show the location of all rain gutter down spout discharges.
20. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
21. 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 Chapter 37 of MGO.
22. 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.
23. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
24. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
25. All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc. shall be shown on the plan.
26. 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.
27. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Schmidt (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering sign-off.

***Comments on Certified Survey Map (CSM):***

28. Place a note on the CSM stating proposed Lot 1 acknowledges and accepts stormwater runoff from proposed Lot 2.
  29. Each lot shall have a separate sanitary sewer lateral (City records indicate that they do have separate laterals. The applicant shall verify prior to final approval.
  30. Provide the diameters of the found monuments on the map as indicated by the legend.
  31. This CSM is not tied to a quarter line of the quarter section in which it lies as required by Sec. 236.20(3) of the Wisconsin Statutes. A tie shall be provided to a quarter line in which this CSM lies. This will also require a revision to the legal description under the Surveyor's Certificate.
  32. Denote the portion of the house to be demolished on the CSM. Also place a note on the garage that it is to be demolished.
  33. Provide a 3-foot wide public sidewalk easement along Williamson Street to allow for wider terraces and construct new sidewalk along the site in the new location.
  34. Provide a detailed sidewalk plan for review and approval by the City Engineer. A Permit to Excavate in the Right of Way shall be required for the sidewalk installation along with a deposit to guarantee installation of the public improvements. This shall be done in lieu of a Developer's Agreement.
35. The Public Sidewalk Easement to be dedicated to the City of Madison ("City") on the face of this CSM is subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Sidewalk Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sidewalk improvements.
  - b. No above-ground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
  - c. Plantings and landscaping within the Public Sidewalk Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
  - d. The property owner shall not change the grade of the Public Sidewalk Easement Area(s) without the prior written approval of the City's Engineering Division.
  - e. The Public Sidewalk Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
36. A minimum of 2 working days prior to requesting City Engineering Division signoff on the CSM, the applicant shall contact Janet Schmidt (261-9688) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

37. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The developer's surveyor and/or applicant must submit copies of required tie sheets or condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering Division. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The applicant shall identify monument types on all PLS corners included on the plat or CSM. Note: Land tie to two PLS corners required.
38. In accordance with Section s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone 1997 Coordinates on all PLS corners on the plat in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. The City has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the City Engineering Division website for current tie sheets and control data ([http://gis.ci.madison.wi.us/Madison\\_PLSS/PLSS\\_TieSheets.html](http://gis.ci.madison.wi.us/Madison_PLSS/PLSS_TieSheets.html)). If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact the City Engineering Division for this information.

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

39. Parking located within the building is not dimensioned in the applicant's submittal. As such, Traffic Engineering is unable to properly review parking layouts at this time. The applicant shall submit a properly dimensioned plan that meets requirements of MGO Section 10.08. The applicant shall anticipate that major redesign of the building footprint may be necessary to meet compliance with the City of Madison ordinances listed above.
40. Each parking stall presents unique access requirements resulting in cumbersome turning movements and a high potential for property/vehicular damage. The applicant shall revise the parking geometrics and structure layout to meet requirements of MGO Section 10.08.
41. The applicant does not provide sufficient off-street parking to accommodate the parking needs of the residential units proposed. Residents of this development shall not be eligible for participation in the Residential Permit Parking Program. The landlord shall inform potential tenants of this restriction prior to their signing of a lease. The applicant shall note in the zoning text that no residential parking permits shall be issued. In addition, the applicant shall submit a copy of the lease for the apartments noting the above restriction when submitting plans for final City approval.
42. When the applicant submits plans for approval, the applicant shall show the following on one contiguous plan: existing items in the terrace (e.g., signs and street light poles), type of surfaces, percent of slope, existing and proposed property lines, addresses, all easements, all pavement markings, building placement, adjacent driveway approaches to lots on either side and across the street, signage, semitrailer movements and vehicle routes, dimensions of radii, aisles, driveways, parking stall dimensions including the 2 feet overhang on a scaled drawing at 1" = 20'. Contact the Traffic Engineering Division if you have questions.
43. 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.

44. 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.
45. All parking facility design shall conform to the standards in MGO Section 10.08(6).

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

46. Provide a detail of how the 20% required open space in Section 28.098 of the Zoning Code is being provided for this development or specifically request a waiver to this requirement from the Plan Commission.
47. Prior to recording of the CSM in TR-V1 zoning, the average front yard setback will need to be determined for Lot 2 pursuant to MGO Section 28.031 in order to establish a approved parking stall (8 x18 feet) subject to Section 28.141(8)(c)1. Provide final details of driveway design and location subject to Section 28.141(9).
48. The rear wall of the residence to remain shall conform to the minimum rear yard setback of 14.73 feet for Lot 2, as dimensioned on the final CSM prior to recording in the existing TR-V1 zoning.
49. Provide a minimum of 13 bike parking spaces for the apartment building (1 per unit plus minimum of 1 visitor stall) distributed as both *Short Term* and *Long Term* bicycle parking, as required per Section 28.141(3) and 28.141(11) of the Zoning Code. Provide a detail of the bike rack design.
50. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e). Final plans shall show the required accessible stalls, including van accessible stalls.
51. Exterior lighting provided shall be in accordance with MGO Section 10.085. Provide an exterior lighting plan and fixture cut sheets with the final plan submittal.
52. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Section 31, Sign Code prior to sign installations.

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

53. While the project may technically comply with an allowance in IBC 1021 to allow only a single exit from the proposed third residential floor due to the exterior sloping grade; in reality, occupants will be required to transverse 4 stories of stairs to exit the building. The Madison Fire Department does not support this project with the proposed single exit stair.
54. Current floor plans do not clearly identify adequate space for mechanical equipment. Ensure provisions are made to accommodate the fire sprinkler and fire alarm equipment and all required clearances.
55. In order to count Williamson Street as the aerial access for the project, the overhead utility lines will need to be relocated.
56. The Madison Fire Department does not object to the proposed CSM provided that it complies with all applicable fire codes and ordinances.

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

57. Proposed lot 1 will require a new water service lateral connected to a public water main. All operating private wells shall be identified and permitted by the Madison Water Utility and all unused private wells shall be abandoned in accordance with MGO Sec. 13.21.

**Metro Transit** (Contact Tim Sobota, 261-4289)

This agency did not provide comments for this request.

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

58. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development. The developer must select a method for payment of park fees before signoff on the development. This development is within the Tenney/Law/James Madison park impact fee district (SI26). Please reference ID# 14137 when contacting Parks Division staff about this project.

59. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Please submit an existing inventory of trees (location, species, & DBH) and a tree removal plan (in PDF format) to Dean Kahl – [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816. 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.

60. 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. Tree protection specifications can be found in Section 107.13 of the City of Madison Standard Specifications for Public Works Construction.

**Office of Real Estate Services** (Jenny Frese, 267-8719)

61. Prior to requesting final sign-off, executed signature block certifications shall be included for all parties of interest, pursuant to Wis. Stats. 236.21(2)(a). The title of each certificate shall be consistent with the ownership interest reported in the most recent title report.

62. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to final CSM sign-off.

63. Under 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes and special assessments that are accrued or delinquent for the subject property prior to CSM recording. As of August 12, 2014, the 2013 real estate taxes are paid for the subject property and there are no special assessments reported.

64. Prior to final CSM sign-off, please verify with Janet Schmidt of the City Engineering Division (261-9688) or Sharon Pounders at the Water Utility (266-4641) that stormwater management fees are paid in full.