



## Report Addendum

2-20-2013 (UDC)

3-04-2013 (PC)

**Legistar ID # 29092, 28940 & 28620**

**415 W Johnson, 226 N Broom, and 424 W Dayton Streets**

**Demolition Permit, Conditional Use, and  
Zoning Map Amendment**

Prepared By:  
Kevin Firchow, AICP  
Planning Division

Since completion of the original staff report, the applicant has received a recommendation for initial approval from the Urban Design Commission (UDC). That report is attached. A recommended condition has been added to the report requiring final UDC approval prior to sign-off prior final staff approval of the plans.

Based on the feedback from UDC, the applicant has made some updates to the plans. These are included on the revised sheets, on top of the original plan set which is provided in its entirety.

- **Site and Floor Plans (Sheets C102, A003, A004):** Low walls / planters minimized and reconfigured at Dayton Street
- **Landscape Plan (L100):** Revised plant types based on UDC comments and planter reconfiguration
- **Elevations and 3D Images (A201, A203):**

Johnson Street Elevation – Metal panel types and color revisions; Metal panel configuration at floors 2-7 revised; Set back increase and balcony extension on 2<sup>nd</sup> floor; Roof overhang eliminated at seventh floor slab; Vertical sign at main entry relocated, planter configuration remains, but reduced in height.

Broom Street Elevation Metal panel type and color revised; Roof overhang eliminated at seventh floor slab.

Dayton Street Elevation Low walls/ planters reduced and reconfigured; metal panel types and color revised



## Report to the Urban Design and Plan Commissions

2-20-2013 (UDC)

3-04-2013 (PC)

**Legistar ID # 29092, 28940 & 28620 (2-27-2013 UPDATE)**  
**415 W Johnson, 226 N Broom, and 424 W Dayton Streets**  
**Demolition Permit, Conditional Use, and**  
**Zoning Map Amendment**

Prepared By:  
Kevin Firchow, AICP  
Planning Division

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**Requested Action:** The applicant requests approval of three demolition permits, a conditional use, and a rezoning of the subject properties to the UMX (Urban Mixed Use) District to allow the demolition of three apartment buildings and the construction of a 317-unit residential building.

**Applicable Regulations and Standards:** This proposal is subject to the standards for demolition permits (MGO Section 28.185), conditional uses (Section 28.183), and zoning map amendments (28.182). This project is also subject to the Downtown and Urban Districts Design Standards (Section 28.071(3)) and should be reviewed against the advisory Downtown Urban Design Guidelines, approved by the Common Council in December 2012.

**Review Required By:** Urban Design Commission (Advisory recommendation on developments with UMX Zoning), Plan Commission (Approval of Demolition Permits and Conditional Use and advisory recommendation on the Zoning Map Amendment Request), and Common Council (Approval of the Zoning Map Amendment Request).

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the demolition standards and conditional use standards are met and **approve** the requested demolitions for 415 West Johnson Street, 226 North Broom Street, and 424 West Dayton Street. Further, the Division recommends that the Urban Design and Plan Commissions find that the applicable conditional use and zoning map amendment standards are met and forward Zoning Map Amendment 00029, rezoning the subject properties from DR-2 (Downtown Residential 2) and UMX (Urban Mixed Use) Districts to the UMX District to the Common Council with a recommendation of **approval**. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

### Background Information

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**Applicant / Owner:** Dave Schutz; Dayton Square; 6806 Seybold Road; Madison, WI 53719

**Contact:** Eric Lawson; Potter Lawson, Inc.; 15 Ellis Potter Court; Madison, WI 53711

**Proposal:** The applicant proposes to demolish three apartment buildings to allow for the construction of an apartment building with 317 units. If approved, construction would commence in August 2013 with completion scheduled for August 2014. The proposed buildings would cross platted lot lines and as such, a certified survey map is required to combine these lots prior to the issuance of building permits.

**Parcel Location:** The subject property is located between West Johnson and Dayton Streets, along North Broom Street. The parcel is within Aldermanic District 4 and within the limits of the Madison Metropolitan School District.

**Existing Conditions:** The subject site includes three properties, each developed with an apartment building. Combined, the site is 1.4 acres in area and includes 128 units and 35 parking spaces. Further information on the existing conditions is summarized in the body of this report.

**Adopted Land Use Plan:** The Comprehensive Plan includes this property within the “Student High Rise” Sub-District of the Downtown area. More specific recommendations are also included in the Downtown Plan. Further information is included in the body of this report.

**Surrounding Land Use and Zoning:**

North: Multi-family residential development ranging from 2 to 8 story structures, zoned UMX (Urban Mixed Use, and PD (Planned Development));

South: Multi-family residential development, including primarily 3 unit and 3-story structures with recently constructed a four-story 20-unit building; and

East: Adjacent to the site is a single-family home, zoned DR-2 (Downtown Residential) 2. On the opposite side of Broom Street is the Capitol Centre mixed use development, zoned PD (Planned Development)

West: Multi-family residential development ranging from 2 to 8 story structures, zoned UMX (Urban Mixed Use Development).

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

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

**Zoning Summary:** 415 West Johnson Street and 226 North Broom Streets are zoned UMX (Urban Mixed Use) District. 424 West Dayton Street is currently zoned DR-2 (Downtown Residential 2).

	Requirements	Proposed
Lot Area	3,000 sq. ft.	adequate
Lot width	30	adequate
Front Yard Setback	5'	10'
Maximum Front Yard Setback	10'	adequate
Side Yard Setback	0	To be shown on final plans.
Rear Yard	10'	n.a
Maximum lot coverage	90%	TBD (See Comment # 41 )
Minimum Height	2 stories	12 stories
Maximum Height	See Downtown Height Map	12 stories
Stepback	See Downtown Stepback Map	
Usable open space	3930 sq. ft. 10 sq. ft. per bedroom	To be shown on final plans. (See Comment # 43)
Number parking stalls	0	215
Loading	0	1
Number bike parking stalls	1 per unit up to 2-bedrooms, 1 guest space per 10 units 319 & 32 guest stalls 351 total	280 32 guest stalls 312 total (See Comments # 45 & 46)
Landscaping	As shown	Adequate
Lighting	Yes	Yes

*Table Prepared by Patrick Anderson, Assistant Zoning Administrator*

## **Project Description**

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The applicant proposes to demolish three apartment buildings and construct a 12-story, 317-unit development.

### Buildings Proposed for Demolition

A summary of the buildings proposed for demolition is below:

- **415 West Johnson Street:** This structure is a three-story apartment building constructed in 1973. The building has 68 units and seven (7) at-grade parking stalls.
- **226 North Broom Street:** This structure is a two-story apartment building, constructed in 1940. The building has three (3) units and no on-site parking.
- **424 West Dayton Street:** This structure is a four-story apartment building constructed in 1972. The building has 57 units and 28 parking stalls below the building.

Photos of these buildings are included within the applicants plan sheets and can be viewed online at the following link: [http://www.cityofmadison.com/planning/projects/reports/415wjs\\_site.pdf](http://www.cityofmadison.com/planning/projects/reports/415wjs_site.pdf) Please note that the photos are included on sheets D101 and D102.

### Summary of Proposed Development

The proposed building is a through-lot development fronting on West Dayton, West Johnson, and North Broom Streets. The structure has a 10 foot front yard setback along each of these street frontages. The ground floor footprint is approximately 51,615 square feet in area, covering roughly 83% of this 62,106 square foot (1.4 acre) site. The lower level footprint is slightly larger, measuring 54,556 square feet.

The height of the structure varies. Staff notes that the height complies with the Zoning Code's Downtown Height Map and no approvals for additional height are being sought. Along West Dayton Street, the portion of the building closest to the street is four stories. The fifth and sixth stories are stepped back an additional 10 feet from the sidewalk. The Broom Street façade is five and six stories above grade. Along West Johnson Street, the building height is primarily six stories above grade with stories 7- 12 stepped back about nine feet from the building's base.

There are two levels of underground parking provided, including a total of 212 automobile stalls. Plans show a total of 312 bike stalls, with 293 of those located within the building. The applicant wishes to reduce the number of on-site bike stalls and provide 40 moped parking stalls. Comments from the Assistant Zoning Administrator indicate that an administrative bike parking reduction would be required to proceed as such. The under-building parking is accessed from both West Johnson and Dayton Streets. Based on discussions with staff, the applicant has added two off-street loading zones within these parking areas. These areas are hatched, but not labeled on the most current plans.

The building is primarily clad in brick with horizontal cement fiber siding and metal panels used as secondary materials. The base of the building and much of the facades closest to the street are primarily clad in a light colored brick. Other brick types are used as an accent material as shown on the attached plans. The building's main entrance, located at the corner of North Broom and West Johnson

Streets features a highly transparent window wall that wraps the building corner. That entrance is set approximately 28 inches above the sidewalk.

The bedroom and count is as follows. Staff notes that all of the interior bedrooms have windows.

	<b>Total Dwelling Units</b>	<b>Total # of Bedrooms</b>
Studio	37	37
One-Bedroom	204	204
Two-Bedroom	76	152
<b>TOTAL</b>	<b>317</b>	<b>393</b>
<b>CALCULATED DENSITY</b>	<b>226.4 units per acre</b>	<b>280.7 bedrooms per acre</b>

*Source: Madison Planning Division based on the Potter Lawson Letter of Intent*

The landscape plan includes several planters adjacent to the building along the North Broom and West Johnson Street facades. These are intended to break up the building mass in areas where due to grade, significant portions of the parking level are exposed above grade. Other small plantings are provided adjacent to the second level pool deck.

## **Project Analysis and Conclusion**

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The proposed project is subject to the demolition, conditional use, and zoning map amendment approval standards in the recently adopted Zoning Code. Additionally, properties developed in the UMX (Urban Mixed Use) zoning district are reviewed against the Design Standards of Section 28.071(3) and the advisory Downtown Urban Design Guidelines. The below analysis begins with a summary of the adopted plan recommendations, as many of the specific approval standards reference these documents.

### Conformance with Adopted Plans

Staff believes that the proposal is consistent with the adopted plan recommendations. The Comprehensive Plan includes the subject site within the “Student High-Rise” planning district for Downtown and high density multi-family development (greater than 60 dwelling units per acre) is a recommended use for this area. There is no maximum recommended density. At roughly 226 dwelling units per acre, the proposed development has a very similar unit density compared to other nearby student-oriented residential towers.

More specific recommendations are included within the Downtown Plan, which includes the subject site within the “Johnson Street Bend” area. That plan recommends this area should continue to develop as a primarily higher-density student residential area. Further, this area is recommended to transition to more intense development of currently underutilized parcels. The buildings at 415 West Johnson Street and 424 West Dayton Street are specifically identified as potential redevelopment sites. The proposed building is also consistent with the recommended height map in that plan document. The Plan also recommends creating active and engaging street frontages.

### Demolition Standards

This proposal is also subject to the demolition and removal standards of the Zoning Code and staff believes these standards can be met. In considering these standards, the Plan Commission must find that the proposed demolitions are both 1) consistent with the intent and purpose of the zoning district and 2) that the proposed future use is compatible with the purpose of the demolition section of the ordinance. Regarding the former, staff notes that this request is proposed in conjunction with a zoning map amendment, though similar development forms could be achieved under both the existing and proposed zoning.

Regarding the latter, the Statement of Purpose of the demolition section states, in part, that the purpose of these standards are to aid in the implementation of adopted City Plans, protect neighborhood character, preserve historic buildings, and encourage the relocation of existing buildings. As noted above, the Downtown Plan specifically recommends the redevelopment of two of the three buildings proposed for demolition. Staff notes that no information has been provided to suggest any of the buildings are structurally unsound.

The Landmarks Commission was not required to make a formal recommendation on this proposal since none of the buildings are landmarks or adjacent to landmarks, nor is the site within a local historic district. As with all demolition requests, the Preservation Planner shares the proposed demolition applications with the Landmarks Commission. No objections were raised to the demolition requests by that Commission. It was noted by the Preservation Planner that there is no known historic value for any of the buildings included in this demolition proposal.

### Conditional Use Standards

Multi-family residential developments with more than eight (8) dwelling units require conditional use approval in the UMX District. To approve this proposal, a finding must be made by the Plan Commission that all of the Conditional Use standards of Section 28.183 of the new Zoning Code are met. While staff believes such a finding can likely be made, three standards are reflected below that relate to issues and questions that have been raised during the review process.

Staff is aware that some concerns have been raised regarding development impacts on the existing home at 212 North Broom Street and any future redevelopment of that property. Standards 3 and 4 relate most closely to these issues:

**Conditional Use Standard 3:** That the uses, values and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner.

**Conditional Use Standard 4:** The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in this district.

The proposed building would wrap 212 North Broom Street on both the north and west sides, though the setbacks proposed in these areas meet or exceed what would be required under both the existing and proposed zoning. Currently the portion to the property to the north is already zoned UMX, where no side yard is required. Plans provide a setback of just over seven (7) feet.

The portion to the west is currently zoned DR-2 and which has a minimum required five (5) foot side yard setback. Though a rezoning is proposed for this portion of the property, a setback of just over five

feet is provided adjacent to this site. At that point, the building includes the elevated pool level, with the six-plus story portions of the building located another 40 feet from the westerly lot line. Staff requests further design information about the base of the pool level and associated improvements.

In looking at future redevelopment potential, the property at 212 North Broom is zoned Downtown Residential 2. The lot measures 52 by 132 feet. For a lot this size, the code would allow for a variety of redevelopment options consistent with the plan, should that owner ever wish to redevelop this property. That owner has met with staff to discuss zoning code requirements.

Another issue that has been raised by the neighborhood steering committee, individual neighbors, and previously by the Urban Design Commission members is the adequacy of sidewalk width, considering the significant increase in density. This concern most closely relates to the following standard:

**Conditional Use Standard 5:** Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit and other necessary site improvements have been or are being provided.

In response to these concerns, the development team met with staff from the Engineering, Traffic Engineering, and Planning Divisions regarding potential sidewalk changes related to this proposal. Staff from Engineering, the agency that is responsible for recommending conditions related to sidewalk design, are not recommending additional lands be dedicated to widen the sidewalk. One concern was that as only a partial block redevelopment, this would create an unusual condition as the sidewalk would widen and narrow at various points. It was also noted that other recent nearby developments, including the "Hovde" development in the 300 block of West Johnson were not required to widen the sidewalk. As part of right-of-way improvements, Engineering indicated they would support removing the grass terrace along West Johnson Street in favor of an all concrete sidewalk with tree grates. Grass terraces along Broom and Dayton Street would remain.

### Zoning Map Amendment Standards

The Johnson and Broom Street-fronting portions of this site are zoned UMX (Urban Mixed Use) while the Dayton Street fronting property is zoned DR-2 (Downtown Residential-2). As a through-lot development, the Zoning Administrator recommended that consistent zoning be applied to the entire project, citing code administrative concerns with having split zoning running through a building.

The applicant has made an effort to apply the more restrictive DR-2 lot standards, even though not required for the somewhat more permissive UMX district. This includes a 10 foot front yard and a minimum five foot side yards in most areas. Height standards are included in a separate section and would not change based on the underlying zoning.

The standards for evaluating Zoning Map amendments state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be *consistent with* the City's comprehensive plan. 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan." As noted above, staff believe the project is consistent with the Comprehensive Plan.

## Design Considerations and Evaluation of the Urban Design Guidelines

This proposal, developed under UMX zoning, is subject to both the Downtown Design Standards and the Advisory Downtown Design Guidelines. The standards cannot be waived, unless approved as a variance by the Zoning Board of Appeals. The project appears to comply with those standards, except where further clarifications have been requested by the Zoning Administrator. Based on the follow up information provided by the applicant, planning staff believes these standards can be met.

The Zoning Ordinance also requires the Urban Design Commission (UDC) review the development in the UMX district. The project should be reviewed against the Downtown Design Guidelines, which are provided as an attachment. Below is a summary of particular guidelines that staff believes may require closer review.

**Guideline 2a:** Parking facilities beneath a building should not be considered a valid reason to establish an occupiable first floor more than three (3) feet above the grade of the sidewalk along any adjacent street, nor to include long segments of blank wall on any side of a building.

Staff's most significant design issue with this project has been the base of the building along portions of the West Johnson Street and North Broom Street facades. Along Johnson Street, the site grade falls over 11 feet, heading to the west. While this creates an opportunity for good access to under-building parking, it has created a partial blank wall where the parking level abuts the street. Staff has had several discussions with the project architect who has proposed several solutions to minimize this impact. The applicant has proposed the five foot deep planters to provide some visual interest. Additionally, the amount of window and door openings at the ground level entry next to the garage door has been increased.

For the parking levels to work, the finished floor level along Broom Street is elevated above the sidewalk, though the applicant has been able to reduce that to 28 inches at the corner. On Broom Street, the grade falls about four (4) feet heading south across the project site. As such, the finished floor height exceeds three feet above sidewalk grade. The applicant has also added two separate stair connections to help activate this façade. The applicant has indicated he can't further bring down the finished floor level and maintain adequate vehicular access to the underground parking. Staff further note that the single-family home to south is also well elevated above the sidewalk level.

While the project doesn't exactly conform to this guideline, staff believes that the efforts made by the applicant have significantly improved these facades.

Staff also suggests a small modifications that relate to Section 4 – Landscaping in the guidelines. Staff recommends an alternative species along the visitor bike parking on Dayton, where the Switchgrass is proposed. Staff would suggest a tougher species, possibly a woody shrub that would prevent cut through traffic and allow the hedge row to be more successfully established. Staff also notes the ordinance requirement that shrubs and ornamental grasses to have a three gallon minimum planting size, per the landscaping regulations. Staff is not including these as specific conditions of approval, though these and other changes could be formally included should the UDC wish. As an update, staff notes that the project received a recommendation of initial approval at the February 20, 2013 UDC Meeting. The report of UDC is attached.

On balance, staff believes the project is well designed and can likely be found to meet the applicable design guidelines.



### Public Input

The applicant has attended three neighborhood steering committee meetings and one large neighborhood meeting. Many of the plan's alterations have been made to address these concerns. The primary concerns that staff is aware of relate to concerns over having an adequate sidewalk width, and concerns over blank walls along West Johnson and Broom Streets. Other concerns have been raised regarding the affordability of the proposed units and concerns over the public process for this project moving too quickly.

### Conclusion

Staff believes that the project can meet the applicable review standards, as discussed in this report. The project is consistent with the recommendations of both the Comprehensive and Downtown Plans and is consistent with Downtown Height Map.

### **Recommendation**

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Major/Non-Standard Conditions are Shaded

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

The Planning Division recommends that the Plan Commission find that the demolition standards and conditional use standards are met and approve the requested demolitions for 415 West Johnson Street, 226 North Broom Street, and 424 West Dayton Street. Further, the Division recommends that the Urban Design and Plan Commissions find that the applicable conditional use and zoning map amendment standards are met and forward Zoning Map Amendment 00029, rezoning the subject properties from DR-2 (Downtown Residential 2) and UMX (Urban Mixed Use) Districts to the UMX District to the Common Council with a recommendation of approval. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

1. That the applicant provides additional design detail regarding the pool-level elevation that better depicts the visual character of this elevation, for staff approval.
2. That the applicant labels the hatched loading zones as a condition of approval.
3. That the applicant receives final approval from the Urban Design Commission prior to final staff approval and sign-off of these plans.

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

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

4. A Certified Survey Map (CSM) application shall be made to the Planning Division for this property to dissolve underlying platted lot lines in accordance with state building code. The CSM shall be approved by the City and recorded with the Register of Deeds prior to issuance of building permits.

5. In accordance with 10.34 MGO – STREET NUMBERS - Submit a PDF of all floor plans to Engineering Mapping Lori Zenchenko ( [Lzenchenko@cityofmadison.com](mailto:Lzenchenko@cityofmadison.com) ) 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.
  6. The applicant shall show the elevation of the existing sanitary sewer in the terrace on the northerly side of W. Dayton Street to verify that the proposed connection to the existing main on the southerly side is possible. Provide a plan on how the existing 8" vitrified clay pipe on the northerly side of W. Dayton Street will be kept in service during construction.
  7. The applicant shall provide information on existing private storm sewer connections and indicate which connections will be kept in service and which ones will be abandoned. The City's records indicate 2 private storm connections on W. Johnson Street and 2 on W. Dayton Street.
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8. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project. (MGO 16.23(9)c)
  9. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace. (POLICY)
  10. The approval of this Conditional Use or PUD does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester. (MGO 16.23(9)(d)(6))
  11. The applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development. (POLICY)
  12. The applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction. (POLICY)

13. The applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system. (POLICY)
14. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01)
15. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl, of the City Parks Department - [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816. Approval and permitting of any tree removal or replacement shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan. (POLICY)
16. All damage to the pavement on W. Johnson, W. Dayton, and N. Broom Streets, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)
17. The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used. POLICY AND MGO 10.29
18. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
19. Effective January 1, 2010, The Department of Commerce's authority to permit commercial sites, with over one (1) acre of disturbance, for stormwater management and erosion control has been transferred to the Department of Natural Resources (WDNR). The WDNR does not have an authorized local program transferring this authority to the City of Madison. The City of Madison has been required by the WDNR to continue to review projects for compliance with NR216 and NR-151 but a separate permit submittal is now required to the WDNR for this work as well. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process.  
  
As this site is greater than one (1) acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the Wisconsin Department of Natural Resources, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm> (NOTIFICATION)
20. 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 the Madison General Ordinances.
21. The applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg)

Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain 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) all underlying lot lines or parcel lines if unplatted, g) lot numbers or the words "unplatted", h) lot/plat dimensions, i) street names, and all other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred [addressing@cityofmadison.com](mailto:addressing@cityofmadison.com). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. (POLICY and MGO 37.09(2) & 37.05(4))

22. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)) PDF submittals shall contain the following information: a) Building footprints; b) Internal walkway areas; c) Internal site parking areas; d) Lot lines and right-of-way lines; e) Street names; f) Stormwater Management Facilities; and g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
23. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. MGO 37.05(7) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
24. Prior to approval of the application, the owner or owner's representative shall obtain a permit to plug each existing storm sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer. \$100 non-refundable deposit will cover for the cost of inspection of the plugging by City staff; and the remaining \$900 will cover the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner. (POLICY) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
25. Prior to approval of the application, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner. (POLICY) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
26. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
27. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)

**Traffic Engineering Division** (Contact Eric Halvorson, 266-6572)

28. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds four stories prior to sign-off to be reviewed and approved by Keith Lippert, (266-4767) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
  29. All Loading Zones shall be shown on site and not in the public right of way. On site loading zones shall be capable of accommodating a standard moving truck.
  30. All ingresses/egresses shall be designed to maintain at least a 10' vision triangle in both directions along the sidewalk.
  31. The developer shall work with the City to resolve construction-related issues prior to submitting final plans for approval. There shall be no or very limited impact to W. Johnson St.
  32. All ingresses/egresses shall be designed to maintain at least a 10' vision triangle in both directions along the sidewalk.
33. When the applicant shall submit plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing and proposed property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, semitrailer movements and vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'. Contact City Traffic Engineering if you have questions.
  34. The developer shall post a deposit and reimburse the City for all costs associated with any modifications to Traffic Signals, Street Lighting, Signing and Pavement Marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
  35. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.
  36. When the applicant submits final plans of one contiguous plan for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, showing all easements, all pavement markings, building placement, and stalls, adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
  37. The developer shall post a deposit and reimburse the City for all costs associated with any modifications to Traffic Signals, Street Lighting, Signing and Pavement Marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
  38. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

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

39. Sec. 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, Mr. George Dreckmann. (608-267-2626).
40. Sec. 28.185 (10) Every person who is required to submit a reuse and recycling plan pursuant to Sec. 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
41. Provide details confirming the 90% lot coverage for this development pursuant to section 28.211. Lot Coverage. 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, and green roofs.
42. Useable open space shall be called out and shown on final plans. Sec. 28.076 (3) (c) provides that useable open space may take the form of at-grade open space, porches, balconies, roof decks, green roofs or other above-ground amenities. UMX requires 10 sq. ft. per bedroom (3930 sq. ft.), of the total amount 75% may be on roof decks and balconies and a minimum of 25% (982 sq. ft.) at ground level pursuant to sec. 28.140. Call out and dimension UOS on final plans.
43. Provide details and analysis that the project meets the design standards of subject to Section 28.071 (3). Including but not limited to percentage of openings as required in 28.071(3)(e), full color elevations including building materials subject to table 28E-1.
44. Pursuant to section 28.14 (4) (e) Parking Requirements For Persons With Disabilities. The provisions contained in Wis. Stat. §§ 101.12, 346.503, and 346.56 and any related Wisconsin Administrative Code sections are hereby adopted by reference and made applicable to all parking facilities whenever constructed.
45. Bike parking shall comply with City of Madison General Ordinances Table 28I-3 (General Regulations). The amount of required bicycle parking may be reduced by the Zoning Administrator. A 37 stall bike parking reduction application shall be required.
46. Bicycle parking design and location shall comply with Sec. 28.141 (11) of the City of Madison General Ordinances. Provide details on final plans, a bike-parking stall is two feet by six feet with a five-foot access area.
47. Sec. 28.076 (4) (a) Minor exterior changes or additions may be approved by the Director of the Department of Planning, Community, and Economic Development if he/she determines that the changes or additions are compatible with the existing design or consistent with the Downtown Urban Design Guidelines

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

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| 48. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances. |
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49. Per IFC 508 where a fire command center is provided, a plan submittal of the location and accessibility shall be provided to the department for approval. Please note: A fire department permit and plan review is required of the layout of the fire command center and all features required by section IFC 508.1.4 to be contained therein and shall be submitted for approval prior to installation.
50. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities (608) 246-4587.

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

51. The developer shall pay approximately \$449,499.40 for park dedication and development fees for the new 319 MF unit building after a credit is given for the existing 128 MF units currently located on the three properties.
52. The developer must select a method for payment of park fees before signoff on the rezoning.
53. There is a need for public open space in this area; the 2012-2017 Park and Open Space Plan, as well as the Downtown Plan, highlight these deficiencies. Fees in lieu of dedication from this project and other projects in this area will be utilized to pursue acquisitions (via purchase and dedication) of land to help accomplish this goal.
54. This development is within the Vilas-Brittingham impact fee district (SI27). Please reference ID 13104 when contacting Parks about this project.
55. 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 – 266-4816 or [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com). 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. (POLICY)
56. All street tree planting locations and trees species with the right of way shall be reviewed by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl – [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816. Approval and permitting of tree planting shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan. (POLICY)

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

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

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

This agency did not submit a response to this request