

# PLANNING DIVISION STAFF REPORT

September 16, 2013

PREPARED FOR THE PLAN COMMISSION



**Project Address:** 425 West Washington Avenue  
**Application Type:** Demolition Permit, Conditional Use, and Zoning Map Amendment  
**Legistar File ID #** 30899 and 29495  
**Prepared By:** Kevin Firchow, AICP, Planning Division  
Report Includes Comments from other City Agencies, as noted

## Summary

**Applicant:** John Sutton; Sutton Architecture; 104 King Street; Madison, WI 53703  
**Contact:** John Sutton; Sutton Architecture; 104 King Street; Madison, WI 53703  
**Property Owner:** Erik Minton & Dr. John Bonsett-Veal; 21 North Butler Street; Madison, WI 53703

**Requested Action:** The applicant requests approval of a demolition permit, conditional use (for a bonus story), and a zoning map amendment from DR-2 (Downtown Residential-2 District) to UMX (Urban Mixed Use District) for the purpose of constructing a five-story mixed-use building.

**Proposal Summary:** Upon demolition of the existing one-story clinic, the applicant proposes to construct a five-story mixed-use building with 63 parking stalls, 50 apartments and approximately 7,700 square feet of commercial space. The building will have two levels of underground parking, with commercial uses occupying portions of the ground and second floors.

**Applicable Regulations & Standards:** This proposal is subject to the standards for Demolition Permits [M.G.O. Section 28.185(7), Conditional Uses [Section 28.183], and Zoning Map Amendments [Section 28.182].

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

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the demolition and conditional use standards are met and **approve** the requested demolition permit and conditional use to allow the construction of a mixed-use building at 425 West Washington Avenue. Further, the Planning Division recommends the Plan Commission forward substitute zoning ordinances 00068 and 00080 rezoning the subject property from the DR-2 (Downtown Residential 2) District to the UMX (Urban Mixed Use) District and the establishing of a specified above-grade maximum building setback with a recommendation of **approval**. This recommendation is subject to the input provided at the public hearing and the comments and conditions recommended by reviewing agencies.

## Background Information

**Parcel Location:** The 16,335 square foot subject property is located on the south side West Washington Avenue, midblock between South Basset and South Broom Streets. The site is within Aldermanic District 4 and within the limits of the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The subject site includes the existing one-story clinic building, constructed in 1955.

ORIGINAL STAFF REPORT  
9-16-2013 12

**Surrounding Land Use and Zoning:**

North: Single, two, and three story residential buildings, zoned DR-2 (Downtown Residential 2);

South: Four-story, 39-unit residential building zoned PD (Planned Development);

East: Wood-frame residential and office buildings, zoned PD and DR-2; and

West: Five-story office building zoned DR-2.

**Adopted Land Use Plan:** The Comprehensive Plan includes this area within the Mifflin Basset Downtown Sub District and more specific recommendations are included within the Downtown Plan. These are summarized in the body of this report.

**Zoning Summary\*:** The property is proposed to be rezoned to the UMX (Urban Mixed Use District)

	Required	Proposed
Lot Area	3,000 sq. ft.	16,335 sq. ft.
Lot width	40'	99.41' existing
Maximum lot coverage	90%	77% (TBD)
Front yard	5'	10' (TBD)
Side yards	0'	5' 8" RS / 5' LS
Rear yard	10'	20'3" (TBD)
Building height	4, with 2 additional stories w/ 30' stepback	5 stories / 53'
Usable open space (63 bdms)	10 sq. ft. per bdrm. (630 sq ft)	To be shown on final plans
Number parking stalls	50	63 garage
Accessible stalls	3 garage	None shown
Loading	0	0
Number bike parking stalls	50 residential use/ 1 per unit 5 guest spaces / 1 per 10 req.  TBD commercial 1 per 5 employees for clinic, 5% capacity for health club	72 garage 6 surface 78 total
Landscaping	Yes	Yes
Lighting	TBD	TBD
<b>Other Critical Zoning Items</b>	Urban Design (For UMX Zoning), Barrier free (ILHR 69)	

\* Front and rear yard setbacks reflect original submittal. As resubmitted, the above grade front-yard setback is approximately 19 feet and the rear yard is approximately 15 feet.

Table Prepared by Patrick Anderson, Assistant Zoning Administrator

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

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

ORIGINAL STAFF REPORT  
 9-16-2013  
 12

## Previous Requests and Approvals

This is the third redevelopment request for this property since 2005.

On November 29, 2005, the Common Council placed on file a request to rezone the subject site from R6 to PUD-GDP-SIP to allow construction of a nine-story mixed-use building containing 40 apartment units, a 24,000 square-foot fitness facility, 12,000 square feet of office space and 2,500 square feet of first floor retail following demolition of the existing one-story medical office building. Concerns on the project included height, design, and inconsistency with adopted plans.

On March 17, 2009, the Common Council approved a rezoning to the PUD (Planned Unit Development) district to allow the construction of a five-story mixed use building with a 10,865 square foot fitness facility, 2,800 square feet of first floor commercial space, and 42 dwelling units. That PUD was never recorded and those development entitlements have since expired.

## Project Description

The applicant requests approval of a demolition permit, conditional use, and zoning map amendment from the DR-2 (Downtown Residential-2) District to the UMX (Urban Mixed Use) District. Note, the project was originally submitted as a rezoning to the PD district and some of the applicant's materials include references to that district.

The building proposed for demolition is a one-story medical office building, constructed in 1959.

Upon demolition of the existing clinic, the applicant proposes to construct a five-story mixed-use building with 50 apartments, 63 parking stalls, and approximately 7,700 square feet of commercial space. The building will have two levels of underground parking, with commercial uses occupying portions of the ground and second floors. The commercial tenant spaces would be occupied by Dr. Bonsett-Veal's relocated optometry clinic on the first floor and a limited service gym, operated by Capital Fitness on the second floor. The balance of the structure would be apartment units, ranging from efficiencies up to two-bedroom units. The specific unit mix includes 1 efficiency, 13 one-bedroom, 22 one-bedroom plus den, and 14 two-bedroom units. There is a total of 63 bedrooms. The fifth floor of the building includes a patio for tenants.

At grade, the building was originally proposed with a 10 foot setback from the front property line and just under 14 feet from the back of the sidewalk. Originally, a 20 foot rear yard setback is proposed. Based on comments from staff and the Urban Design Commission, the plans have been revised to increase the front yard setback. The above-grade front yard setback is now 19 feet and with the rear yard setback approximately 15 feet. Below grade, the structure has minimal front and rear yard setbacks.

The front of the façade is clad in a brick veneer and includes nickel-finished metal panel and cast stone accents. The sides and rears of the building also incorporate metal panels. Six mature trees would be removed, primarily along the eastern side and rear lot lines.

Among the 50 parking stalls, approximately 10 will be reserved during daytime hours for staff and patients of the clinic. Three stalls will be designated for staff of the fitness center between the hours of 5:00 am and 11:00 pm. No stalls are reserved for fitness center patrons. Other stalls are reserved for the residential tenants. There are 78 bicycle parking stalls provided.

ORIGINAL STAFF REPORT  
9-16-2013 12

## Analysis and Conclusion

The proposed project does not conform to the rear yard setback and use regulations for the existing DR-2 (Downtown Residential 2) Zoning District. Staff notes the existing clinic use is already a legal, non-conforming use. As such, the applicant proposes to rezone the property to the UMX (Urban Mixed Use) zoning district to allow for the development of this project.

In addition to the rezoning request, the applicant also requests approval of a demolition permit and a conditional use for a "bonus" story of height.

The proposed project is subject to the demolition, conditional use, and zoning map amendment approval standards in the 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

The Comprehensive Plan includes this property within the Mifflin-Basset sub-district of Downtown. That Plan's recommendations include mixed-use buildings, neighborhood commercial development, and buildings between two and four stories in height. That Plan also recognizes that refinements of these districts may occur with City-adopted detailed special area plans, such as the recently adopted Downtown Plan.

The Downtown Plan has several recommendations for the 400 and 500 blocks of West Washington Avenue. A copy of the defined objectives and recommendations for West Washington Avenue is attached. This site and the adjacent parcels to the west are specifically identified as potential redevelopment sites due to building obsolescence or site underutilization. The Plan notes that these blocks have large terraces and consistent front yard setbacks that provide a sense of "civic open space."

In considering use, the Plan recommends that this area is proposed primarily for residential uses, especially on the upper floors. Neighborhood-serving mixed-use development is recommended primarily at the ends of blocks as this district is not intended to become an employment or larger retail district. As noted above, the existing clinic use is already established at this site and the site is part of an existing mid-block office node. It should be noted that uses may change and that if approved, other uses allowed in the UMX district could be established within this building.

In regards to height, the Plan recommends buildings up to four stories along both sides of West Washington Avenue, with the potential for two additional stories if there is a noticeable setback. Appendix C of that plan provides further recommendations on the Plan's criteria for additional height, in this case the proposed fifth story. The Plan specifically recommends:

"Where additional stories are available, it is not intended that they be earned merely by complying with standards and criteria that would be required and expected in any case, such as underlying zoning regulations, good design, or sensitivity to an adjacent historic landmark. The intent is not simply to allow a taller building and additional stories should not be considered "by right" heights. Rather additional stories are to be used as a tool to encourage and reward buildings of truly exceptional design that respond to the specific context of their location and accomplish specific objectives defined for the area.

ORIGINAL STAFF REPORT  
9-16-2013

12

### Conditional Use Approval Standards

The base height limit on the zoning map allows for four stories at this location. Up to two "bonus" stories could be allowed with conditional use approval. One bonus story is now requested. In this block of West Washington Avenue, the code requires stories above the fourth floor to have a 30 foot setback. To obtain a height bonus, the zoning code requires the following finding be made:

When applying the above standards to an application for height in excess of that allowed by Section 28.071(2)(a) Downtown Height Map for a development located within the Additional Height Areas identified in Section 28.071(2)(b), the Plan Commission shall consider the recommendations in adopted plans, and no application for excess height shall be granted by the Plan Commission unless it finds that all of the following conditions are present:

- a. The excess height is compatible with the existing or planned (if the recommendations in the Downtown Plan call for changes) character of the surrounding area, including but not limited to the scale, mass, rhythm, and setbacks of buildings and relationships to street frontages and public spaces.
- b. The excess height allows for a demonstrated higher quality building than could be achieved without the additional stories.
- c. The scale, massing and design of new buildings complement and positively contribute to the setting of any landmark buildings within or adjacent to the projects and create a pleasing visual relationship with them.
- d. For projects proposed in priority viewsheds and other views and vistas identified on the Views and Vistas Map in the City of Madison Downtown Plan, there are no negative impacts on the viewshed as demonstrated by viewshed studies prepared by the applicant.

In considering Criteria "a", the above-referenced recommendations in the Downtown Plan recommend four story buildings with the potential for an additional two stories if there is a noticeable setback. The proposed setback exceeds the minimum 30 foot setback required in the code and staff anticipates the fifth story will have a minimal visual presence from the street. The proposed building is taller than the smaller two-plus story wood frame structures to the east, though smaller in stature than the existing office building immediately to the west. A four story, 39-unit building sits immediately behind this site which is of a similar mass. The project architect has stated that the slight projections in the front façade are intended to help break the building up into proportions that reflect the rhythm of the smaller buildings to the east. In regards to setbacks, the applicant has increased the above-grade front yard setback to match that of the homes (not porches) to the east. Without a substantial redesign of the building, staff understands that this will reduce the rear yard setback.

In response to Criteria "b" the project architect has stated that the additional building floor allows for an additional level of underground parking and a second elevator to serve building tenants.

Criteria "c" and "d" do not apply to this project.

As a conditional use, the Plan Commission must find that all of the applicable standards are met, in addition to the bonus height standard above. Staff believes it is possible that the Commission could find the applicable standards can be met.

ORIGINAL STAFF REPORT  
9-16-2013

### Demolition Approval Standards

In considering these standards, the Plan Commission must find that the proposed demolition is 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, this is proposed with a zoning map amendment and the plans would be consistent with that district. Regarding the latter, the standards state that the Plan Commission shall consider and may give decisive weight to any relevant facts including impacts on the normal and orderly development of surrounding properties and the reasonableness of efforts to relocate the building. Staff believes there is little feasibility in relocating this structure. The demolition standards also state that the proposed use should be compatible with adopted plans, which is discussed above. No objections to this demolition were raised by the City's Preservation Planner or by the City's Landmarks Commission.

### Zoning Map Amendment Standards

There are two components of the zoning map amendment request. The first is the change from the DR-2 (Downtown Residential 2) District to the UMX District. The second component is the mapping of an alternative maximum setback. As noted above, staff believes maintaining a front yard of roughly 20 feet is very important in maintaining the character of the West Washington Avenue. Unless otherwise designated, the UMX district requires a maximum setback of 10 feet. In order to allow for a deeper front setback, the proposed substitute ordinance allows for a maximum setback of 25 feet.

Staff believes the Zoning Map Amendment standards can be met. These standards 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."

### Summary of Design Issues

The Planning Division has had numerous meetings with the applicant and project architect, including several since the submittal of this application. While the fundamental program of the building has not changed, several changes to the building's exterior have been made. Previously, staff was very concerned on the building's lack of fine-grain detailing and its relative "flat" appearance. Staff believes that the current set of plans is significantly improved from the earlier versions. The most current set of plans show many changes including the following:

- Above grade portion of the building has been setback to be 19 feet from the back of sidewalk
- First floor façade windows have been recessed further into the facade, providing additional visual "depth" to that façade. This also creates the appearance of legs or columns separating the windows
- Façade materials have been revised to include the current combination of brick, metal, and cast stone block veneer
- Mullions added to lower level windows
- Blue spandrel glass and similar blue features have been removed

ORIGINAL STAFF REPORT  
9-16-2013

The project received final approval at the Urban Design Commission at their September 11, 2013 meeting. The meeting notes were not available at the time this report was completed, though should be available prior to the Plan Commission's September 14 meeting. As part of that recommendation, the Urban Design Commission made a finding that the latest version of the project represented an exceptional design.

### **Public Input and Comments from the Basset District Steering Committee**

The Plan Commission packets include a detailed advisory statement and statement addendum from the Bassett District Steering Committee. That neighborhood-appointed group met multiple times with the applicant and architect in review of this project. Those statements provide a summary of issues and concerns that resulted from their review of the project. In summary, the steering committee's concerns include:

- Concerns over rezoning the property to a different district, specifically noting concerns over not meeting the current rear yard setback of 33 feet in DR-2
- Request for further architectural enhancements, including those to provide compatibility with surrounding older buildings
- Concerns over future commercial uses should these change
- Preservation of terrace trees during construction
- Concerns over security and use of roof-top terrace
- Replacement tree planting and screening
- Lack of parking for fitness center

At the time of report writing, the Planning Division has not received additional comments on this proposal.

### **Conclusion**

The applicant proposes the redevelopment of an existing one-story medical clinic building, a property designated as a redevelopment site within the Downtown Plan. The proposed building is a five-story building with 50 apartment units, 63 parking stalls, and two floors of commercial space. This block already includes mid-block clinic and office uses. The applicant requests approval of a demolition permit, conditional use, and rezoning to the UMX (Urban Mixed Use District) to implement the project.

Building height is among the most significant issues with this proposal as the applicant requests approval of a "bonus" fifth story. The underlying zoning permits four story buildings, with up to six stories allowed as a conditional use at this location. The Zoning Code requires that the Plan Commission give consideration to adopted plans and find that the specific standards in the Zoning Ordinance are met. The Downtown Plan includes recommendations for evaluating additional height, recommending that bonus stories only be granted to "encourage and reward buildings of truly exceptional design" as discussed in this report. Staff acknowledges that is a high bar to achieve. The Urban Design Commission has recommended approval of this request, making a specific finding that they believe the project does represent exceptional design. With the deep setback and stepback, staff believes the fifth story will have a limited visual presence when viewed from West Washington Avenue. Considering the finding of the Urban Design Commission, staff believes it may be possible for the Plan Commission to find the bonus height standard is met.

Another concern raised throughout the review of this project is that of setbacks. Staff acknowledges concerns about setting a precedent for new buildings not conforming to the DR-2 (Downtown Residential-2 Zoning District) rear yard setback. Because of the lot depth, the existing zoning district would require a 33 foot rear-yard setback. The UMX zoning, proposed to accommodate this project, requires only a 10 foot setback. In

considering the context, this site directly abuts a large apartment building which is not zoned DR-2 and has a lesser setback. Given the specific context, staff does not believe it necessary from a design-standpoint to maintain a 33 foot rear yard at this location.

Staff acknowledges that the project architect has met several times with staff and the neighborhood steering committee to address issues and staff believes the resulting project is significantly improved from earlier versions.

## Recommendation

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

The Planning Division recommends that the Plan Commission find that the demolition and conditional use standards are met and **approve** the requested demolition permit and conditional use to allow the construction of a mixed-use building at 425 West Washington Avenue. Further, the Planning Division recommends the Plan Commission forward substitute zoning ordinances 00068 and 00080 rezoning the subject property from the DR-2 (Downtown Residential 2) District to the UMX (Urban Mixed Use) District and the establishing of a specified above-grade maximum building setback with a recommendation of **approval**. This recommendation is subject to the input provided at the public hearing and the comments and conditions recommended by reviewing agencies.

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

1. That the above-grade front setback be increased to match that of the adjacent wood-frame structures to the east (This setback is to the home and not porches). Staff estimates this will require moving the building back approximately 5-6 feet. Specific legible dimensions shall be provided for staff approval. Note, this will require a specified setback line be established as part of the rezoning.
2. In establishing the front yard setback, this condition acknowledges that underground parking can be allowed between the building and the front property line, as shown on approved plans. This parking shall be completely underground. Above-grade setbacks shall be as shown on the approved plans.
3. Details between the site, landscape, and perspective renderings shall be made consistent.

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

4. Applicant shall provide information on how offsite drainage shall be accommodated to pass through the site.
5. Provide additional drainage detail for underground parking entrance. Proposed plan must demonstrate protection from the 100-year flood with design by a Professional Engineer.
6. Sanitary sewer plugging note on Page C1.4 is out of date. Remove note or replace note with the current, correct requirements.

ORIGINAL STAFF REPORT  
9-16-2013 12



7. The proposed new building will cross underlying platted lot lines. Current State building code and City enforcement requires the underlying platted lot line be dissolved by Certified Survey Mapt (CSM) prior to issuance of a building permit. A CSM will better memorialize the existing property boundary and title which is a direct benefit to the property owner. Have a CSM prepared for submittal to City Planning. The CSM shall be approved by the City and recorded with the Dane County Register of Deeds prior to issuance of a building permit.
8. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass. (POLICY)
9. Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation. The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. (MGO 16.23(9)(d)(6) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
10. 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)
11. 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. (POLICY)
12. 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)
13. All damage to the pavement on W. Washington Avenue, 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)
14. The site plans shall be revised to show the location of all rain gutter down spout discharges. (POLICY)
15. 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.
16. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required. (NOTIFICATION)
17. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to a) Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management; b) Provide

oil & grease control from the first 1/2" of runoff from parking areas; and c) 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.

18. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement. (POLICY)
19. 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. 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))

20. 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).
21. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including: a) SLAMM DAT files; b) RECARGA files; c) TR-55/HYDROCAD/Etc... and d) Sediment loading calculations.
22. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
23. 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))
24. 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)

ORIGINAL STAFF REPORT  
9-16-2013  
12

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

25. The applicant shall provide a 10 ft clear visibility triangle from all driveway exits on West Washington Avenue to insure adequate sight distance of pedestrians on the sidewalk. These vision triangles shall be shown on the final plans. If the planters are located within the site triangle, applicant shall show planters and plants do not exceed 30" in height.

26. 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 two (2) feet overhang on a scaled drawing at 1" = 20'. Contact City Traffic Engineering if you have questions.

27. 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/handholes, including labor, engineering and materials for both temporary and permanent installations.

28. 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)

29. Revised plans have been submitted reflecting a change to the required for setback and subsequently modifying the rear yard setback, to be approved as part of the rezoning request.

30. 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).

31. 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.

32. Bike parking shall comply with City of Madison General Ordinances Section 28.141(4) and 28.141(11). NOTE: required percentages of long and short-term bike parking must be provided for the uses per sec. 28.141(4). Provide a detail of the bike rack to be installed.

33. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

34. Provide detail confirming the 90% lot coverage limitation for this development.

35. Useable open space shall be clearly 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, of the total amount 75% may be on roof decks and balconies and a minimum of 25% at ground level pursuant to sec. 28.140. Call out and dimension UOS on final plans.

36. Project must comply with all design requirements in Sec 28.071. Please provide evidence showing compliance with door/window opening requirements found in subsection (e).

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

37. Provide fire apparatus access as required by IFC 503 2009 edition, MGO 34.503, as follows:

a. IFC 503 Appendix D105, Provide an aerial apparatus access fire lane that is at least 26-feet wide, with the near edge of the fire lane within 30-feet and not closer than 15 feet from the structure, and parallel to one entire side of the structure, if any part of the building is over 30 feet in height.

38. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Capt Ron Blumer (608) 558-4198.

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

39. The developer shall pay approximately \$117,670.00 for park dedication and development fees for the new 50 MF unit development.

40. The developer must select a method for payment of park fees before signoff on the demolition permit and/or rezoning.

41. 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 City of Madison Standard Specifications for Public Works Construction – <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>.

42. This development is within the Vilas-Brittingham park impact fee district (SI27). Please reference ID# 13145 when contacting Parks about this project.

43. 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.

44. The Applicant shall provide a detailed site grading plan with all proposed contours for review prior to the final approval of the project; this property is adjacent to Morrison Park.

45. Pruning of trees or shrubs on City property is not permitted without prior written approval from City Forestry.

ORIGINAL STAFF REPORT  
9-16-2013 12

46. Earthwork or excavation within 5 feet of any tree on City property is not permitted without prior written approval from City Parks.

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

47. The Madison Water Utility shall be notified to remove the water meter 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 provide comments for this request.