



PREPARED FOR THE PLAN COMMISSION

Project Address: 710 East Mifflin Street and 124 North Livingston Street
Application Type: Demolition and Rezoning
Legistar File ID # [32794](#) and [32797](#)
Prepared By: Heather Stouder, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant: Paul Marotte; Westwood Madison LLC; 4920 Roswell Rd., Ste. 45B-104, Atlanta, GA, 30342

Project Contact: Joseph Lee; JLA Architects and Planners; 2418 Crossroads Dr., Ste. 2300, Madison, WI 53718

Property Owner: Reynolds Rigging and Crane Service, Inc.; 725 E. Mifflin St., Madison, WI 53703

Requested Action: The applicant requests approval to demolish a metal building at 124 North Livingston and to rezone the property from Planned Development (PD) to Traditional Residential – Urban 2 (TR-U2) for future multi-family residential development. Conditional use review will be required in the future for any development with over eight residential units.

Proposal Summary: The applicant has not submitted detailed plans for consideration at this time, but is proposing demolition of a small building at 124 North Livingston Street and a rezoning of the entire property owned by Reynolds Rigging and Crane Service, Inc. to the TR-U2 District for future residential development.

Applicable Regulations & Standards: This proposal is subject to the standards for demolition (MGO Section 28.185), and rezoning (MGO Section 28.182).

Review Required By: Plan Commission (PC), Common Council (CC)

Summary Recommendation: Assuming the Plan Commission is generally comfortable with the conceptual plans provided with this rezoning proposal, the Planning Division recommends the following actions:

First, staff recommends that the Plan Commission recommend approval by the Common Council for the proposed amendment to the Tenney-Lapham Neighborhood Plan.

Second, staff recommends that the Plan Commission find that the rezoning standards can be met for the subject property, with the exception of the portion of 710 East Mifflin Street which surrounds the existing two-story brick building on the site. Consistent with MGO 28.182(5)(a)4.b, staff suggests that the Plan Commission recommend that the Council **approve** a modified rezoning for the property as follows: The existing Planned Development District should be reduced in size to include the existing two-story brick building on the site, and the balance of the property should be rezoned to the TR-U2 District as requested.

Subject to an approved rezoning of 124 North Livingston to the TR-U2 District, staff believes that the demolition standards can be met, and recommends that the Plan Commission **approve** the requested demolition at 124 North Livingston Street. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Background Information

Parcel Location: 710 East Mifflin Street and 124 North Livingston Street comprise a 2.6-acre property bounded on the north by East Dayton Street, on the east by North Livingston Street, and on the south by East Mifflin Street; Wellhead Protection District 24; Tax Increment Financing District 36; Aldermanic District 2 (Zellers); Madison Metropolitan School District.

Existing Conditions and Land Use: The site is currently utilized by Reynolds Rigging and Crane Service, Inc for storage of trucks and equipment, and has two existing buildings. The existing metal building at 124 North Livingston Street is vacant and proposed for demolition. A two-story, 12,888 square foot brick building in the western portion of the site is currently utilized for storage, and would remain.

Surrounding Land Use and Zoning:

Northwest: Across East Dayton Street to the northwest, single- and two-family residential properties in the Traditional Residential – Varied 2 (TR-V2) District, and one 16-unit building in the Traditional Residential – Urban 1 (TR-U1) District.

Northeast: Across North Livingston Street to the northeast, Reynolds Field, a City of Madison park, and Well # 24, in the Parks and Recreation (PR) District.

Southeast: Across East Mifflin Street to the southeast, The Constellation, a twelve-story mixed use building with first-floor restaurants and a tavern, second and third-floor office and medical clinic spaces, and 217 residential units in the Planned Development (PD) District (three-story residential elements of this building are closest to the subject property). Also on this block, warehousing and storage uses in the Traditional Employment (TE) District.

Southwest: Two multifamily buildings, including “Das Kronenburg”, a 6-story, 46-unit building with a one-story accessory building in the PD District, and “City Market”, a 2-story, 18-unit building in the TR-U2 District. The buildings were constructed in 1900 and 1909, respectively, and both are local Landmark buildings

Adopted Land Use Plan: The Tenney-Lapham Neighborhood Plan (2008) recommends high-density residential uses for the westernmost portion of the subject property, consistent with those to the southwest on the same block. For the rest of the subject property, the Plan currently recommends an expansion of Reynolds Park. The Plan also recommends the vacation of this block of North Livingston Street adjacent to the subject property as additional greenspace. Concurrent with the review of the rezoning request, the Plan Commission and Common Council are reviewing a proposed amendment to the Tenney-Lapham Neighborhood Plan to change the land use recommendation for this entire block to high-density residential uses, and to maintain North Livingston Street as a full-service street. This amendment is discussed further in the body of the report.

The Comprehensive Plan (2006) was amended in 2011 to reflect the land use recommendations in the 2008 neighborhood plan for the subject property. Thus, it shows a recommendation for Park and Open Space uses on both Reynolds Field and on the eastern half of this block.

Zoning Summary: The applicant requests a rezoning of these properties to the TR-U2 District, but no detailed plans are provided for review at this time.

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.

Related Approvals

Tenney-Lapham Neighborhood Plan Amendment - Concurrent with the rezoning request, the Plan Commission and Common Council will consider a resolution to amend the neighborhood plan (Legislative ID# [32960](#)). Details are discussed in this report and provided in attached documents.

Future Review of Development Adjacent to a Landmark Building – Prior to future redevelopment of the site, the Landmarks Commission would need to review any proposal, due to this property’s adjacency to two Landmark Buildings, “Das Kronenbrug”, formerly the “Badger State Shoe Factory”, at 721 East Dayton Street, and “City Market” at 101 North Blount Street

Future Conditional Use Review – Prior to future redevelopment of the site with over eight multi-family residential units, conditional use review would be required. It should be anticipated that the Urban Design Commission will be asked to provide a recommendation to the Plan Commission during this review.

Project Description

The 2.6-acre site is currently utilized by Reynolds Storage and Crane Service, and is comprised of two parcels with a total of two buildings. The applicant is proposing to demolish a vacant metal warehouse building at 124 North Livingston Street (the corner of East Dayton and North Livingston), and to keep and maintain a two-story, 12,888 square foot brick building in the center of the block, which is currently used for storage. The applicant also requests a rezoning of the entire 2.6-acre site from PD (Planned Development) and TE (Traditional Employment) to the TR-U2 (Traditional Residential – Urban 2) District, which would allow for future multi-family residential development.

Any multi-family residential development with over eight units would need subsequent conditional use review and approval, which is not being sought at this time. The applicant has indicated an interest in pursuing future approvals for a 196-unit new residential building, as well as the potential future conversion of the existing two-story brick building in the center of the site into residential units. Concepts provided to the Plan Commission include a site plan showing structured parking in the center of the site, surrounded on the street-facing sides by four or five stories of residential development with courtyard areas proposed for open space and building articulation. The conceptual development shows vehicle access points from North Livingston Street and East Mifflin Street, and notes that the parking ratio would be a minimum of one stall per unit. Conceptual renderings appear to show a mix of masonry and other materials. If the rezoning and related Plan amendments are approved, fully detailed plans would be required for a future conditional use request.

Public Input – A majority of the public input on this proposal occurred between late 2012 and late 2013. During that time, the development team presented at a meeting of the Tenney-Lapham Neighborhood Association and met several times with a steering committee formed specifically for this proposal. The steering committee provided a letter in May 2013 (attached) demonstrating conditional support for the proposal, noting that they supported a maximum of 185 units on the site, and that the building would need to be predominantly a four-story building.

Planning Division staff then met with the Tenney-Lapham Neighborhood Council multiple times in 2013 to discuss the accompanying amendment to the neighborhood plan. In September 2013, the Council voted 6-5 in support of the Plan amendment. Staff is aware that there are currently some concerns among neighborhood residents that the development concept has changed to include a greater number of units in the new development, and also the potential future conversion of the existing brick building on the property into additional units.

On February 19, staff spoke with a representative from Century Link, a tenant in the existing two-story brick building at 710 East Mifflin Street. From this conversation, staff understands that they do indeed have a lease to continue utilizing the first floor of the building for storage for at least the next few years. Thus, while conversion of

that building to residential use may be discussed further at some point in the future, it should be noted that its conversion is not imminent, nor is it a part of the request before the Plan Commission at this time.

Finally, staff understands that the applicant will meet with the Alder and representatives of the Tenney-Lapham Neighborhood on the evening of Monday, March 3. Any comments received by staff following that meeting will be provided to the Plan Commission

Project Analysis

Consistency with Adopted Plans (Tenney-Lapham Neighborhood Plan Amendment) - As mentioned above, the requested rezoning would be inconsistent with the current recommended land use in the Tenney-Lapham Neighborhood Plan and the Comprehensive Plan, which is for Park and Open Space uses on a majority of the subject property, with a small area on the western portion of the property recommended for High-Density Residential uses. In order for the rezoning to move forward, staff suggests that the neighborhood plan be amended (see attached documentation, and Legislative ID# [32960](#)). However, the land use recommendation in the Comprehensive Plan need not be amended at this time, since it is sufficiently general in nature and defers to more specific recommendations in adopted neighborhood plans. Should the Tenney-Lapham Neighborhood Plan be amended, staff suggests that the Comprehensive Plan be amended to reflect the change at some point in the future, in conjunction with a broader set of amendments. The amendment to the Tenney-Lapham Neighborhood Plan includes two substantive changes:

- First, it changes the land use recommendation for the subject site from Park and Open Space to High-Density Residential. The amended map and text include a note indicating that if the site is not developed with residential uses, use as additional parkland is an acceptable alternative use.
- Second, the amendment removes a recommendation to remove all or part of the 100 block of North Livingston Street which was seen as a way to connect the existing Reynolds Park to the subject property.

The Plan amendment is generally supported by staff. When the Plan was adopted in 2008, the Parks Division Director at the time commented as follows: "Include it in the plan recommendation as a park expansion that could help to catalyze redevelopment efforts in this part of the neighborhood with the understanding that the Park Department is having difficulty funding the parks it currently has and this park expansion would entail a great deal of maintenance." In 2008, Traffic Engineering and Planning staff did not support the recommendation to close this block of Livingston Street, and as the population and employment in this area continues to increase, this connection is becoming more and more important to the street grid for all modes of transportation. (See attached comments from the Parks and Traffic Engineering Divisions).

Within the text changes, which were narrowly approved by the Tenney-Lapham Neighborhood Council, the amended plan includes language noting that any future residential development should complement existing residential development along the south side of East Mifflin Street (the three-story elements of the Constellation), and the residential buildings along the north side of East Dayton Street.

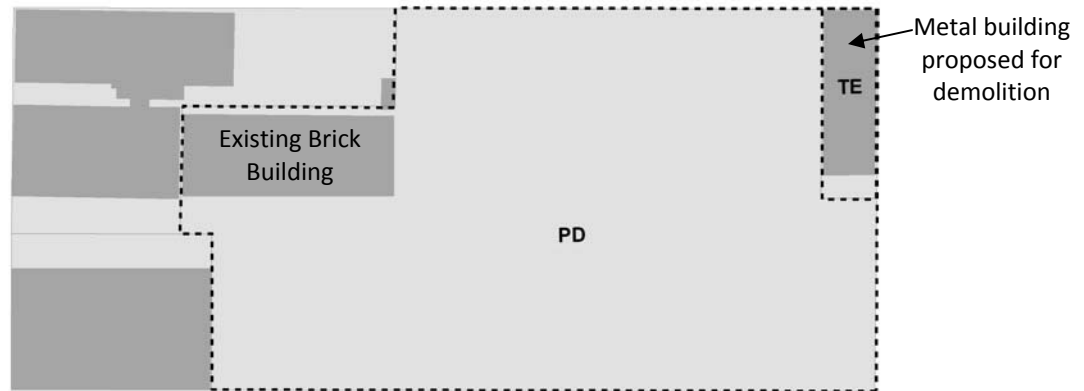
Rezoning – The applicant requested a rezoning of the entire 2.6-acre property from PD and TE to the TR-U2 District. It is important to note that following a rezoning of the subject property, existing uses on the site by the current property owner would become legal, nonconforming uses that could continue until such time as redevelopment of the site occurs. In this particular case, the applicant has indicated that Reynolds Storage and Crane Service and a tenant occupying the first floor of the existing brick building on the site would intend to continue to utilize the site for current uses in the short term. Provided that the corresponding neighborhood plan amendment is approved, staff generally supports the requested rezoning, which would facilitate its future redevelopment with multi-family residential uses similar to those surrounding the property.

However, due to a nuance in the zoning code, staff recommends that for the time being, the zoning immediately surrounding the existing brick building on the property remain PD, and that the remainder of the property be rezoned to TR-U2. As has been noted, staff understands that conversion of the existing building to residential use could not occur in an early phase of the project, and that it will likely continue to be utilized for storage for the foreseeable future. If the entire property were to be rezoned to TR-U2 at this time, the use of the building would become a legal non-conforming use, which is not inherently problematic. The issue is that zoning requirements would prohibit the construction of a new multi-family residential building on the same property with a non-conforming use. Thus, as long as the non-conforming use was to continue in the TR-U2 District, no residential development could occur on the site.

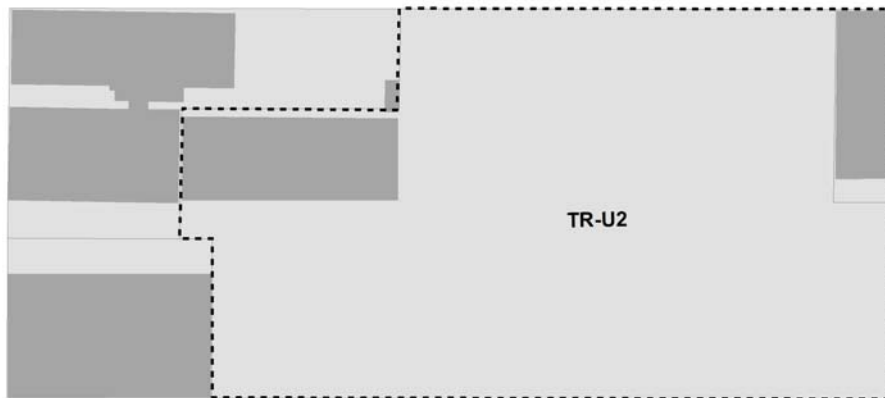
As a solution, staff recommends that the area surrounding the existing building remain in the PD District as it is today, with a zoning text specifically allowing for the current use to continue, and that the remainder of the property be rezoned to TR-U2 at this time. If this applicant or a future property owner wishes to pursue conversion of the existing building for residential or other uses, a rezoning of the property surrounding the building could be requested again at that time, providing a better opportunity for review of the relationship between the existing building and any new development on the site. Staff understands that the applicant and the existing tenant in the building are both supportive of this solution (see illustrations on following page, with subject property outlined in dashed line).

Finally, it should be noted that any future residential development with over eight units will require conditional use review and approval by the Plan Commission, so an approval of the rezoning does not guarantee a given intensity of development on the site. Future conditional use proposals will be carefully reviewed against the conditional use standards. Maximum allowable residential densities in the TR-U2 district are based on the number of bedrooms in the unit. Efficiencies, one-bedroom, and two-bedroom units require a minimum of 500 square feet of lot area per unit, and any bedroom over and above a two-bedroom unit requires an additional 250 square feet of lot area. In the TR-U2 District, the 2.6-acre site as a whole would allow for a developer to seek approvals for up to 226 units, if all were two-bedroom units or smaller. If one were to propose a development entirely comprised of three-bedroom units, the zoning limit would be 151 units. These numbers are being provided to the Plan Commission for reference only. Again, conditional use review will be required to determine the specific number of units allowed on the site

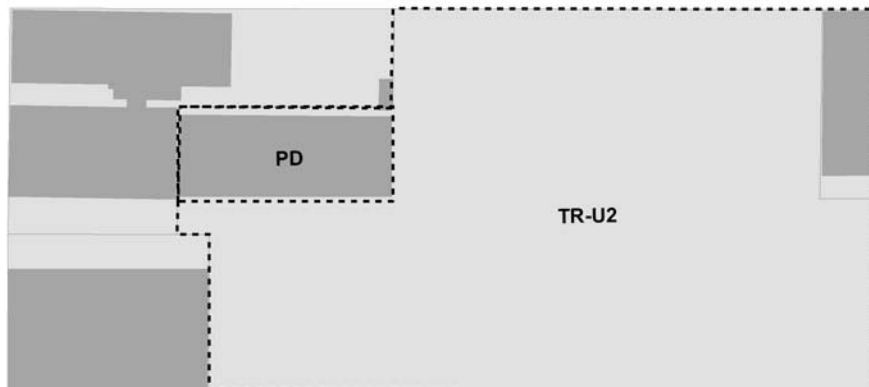
Existing Zoning of Subject Site



Proposed Zoning of Subject Site to TR-U2



Staff Recommendation for Zoning of Subject Site to TR-U2 and PD



Conclusion

On balance, staff supports the amendment to the Tenney-Lapham Neighborhood Plan, with the understanding that if residential development of the subject site does not move forward, future use as a park would be an acceptable alternative use.

Further, staff supports the request by the applicant to rezone this property from PD and TE to the TR-U2 Zoning District in order to pursue future redevelopment of the site with multi-family residential uses. Staff believes that the TR-U2 district, which allows high-density residential uses when approved as a conditional use, is appropriate for this site. It would facilitate development compatible with other residential uses already established on the block, and since it is surrounded by residential development and a city park, the TR-U2 is a much more fitting zoning district for the property than the existing TE and PD Districts allowing for the outdoor storage of trucks and equipment and related uses.

Conceptually, staff can support the future conversion of the existing two-story brick building on the site to residential use, and adaptive reuse would definitely be preferred to its future removal. However, based on zoning requirements, staff cannot support the rezoning of the area immediately surrounding the existing building to the TR-U2 District at this time, as it would render its current use non-conforming, and preclude the development of the balance of the site. Therefore, as discussed above, staff recommends that the area surrounding the existing building remain in the PD District as it is today, and that the remainder of the property be rezoned to TR-U2 at this time.

Finally, staff suggests that the applicant continue to work with the Tenney-Lapham Neighborhood Association on more detailed development plans for the property, prior to submitting materials for conditional use review.

Recommendation

Planning Division Recommendation (Contact Heather Stouder, 266-5974)

Assuming the Plan Commission is generally comfortable with the conceptual plans provided with this rezoning proposal, the Planning Division recommends the following actions:

First, staff recommends that the Plan Commission recommend approval by the Common Council for the proposed amendment to the Tenney-Lapham Neighborhood Plan.

Second, staff recommends that the Plan Commission find that the rezoning standards can be met for the subject property, with the exception of the portion of 710 East Mifflin Street which surrounds the existing two-story brick building on the site. Consistent with MGO 28.182(5)(a)4.b, staff suggests that the Plan Commission recommend that the Council **approve** a modified rezoning for the property as follows: The existing Planned Development District should be reduced in size to include the existing two-story brick building on the site, and the balance of the property should be rezoned to the TR-U2 District as requested.

Subject to an approved rezoning of 124 North Livingston to the TR-U2 District, staff believes that the demolition standards can be met, and recommends that the Plan Commission **approve** the requested demolition at 124 North Livingston Street. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division (Contact Heather Stouder, 266-5974)

1. The applicant shall work with Planning and Zoning staff to amend the existing Planned Development District Zoning for 710 East Mifflin Street so that it encompasses the existing two-story brick building on the property, and limits allowable uses to the current storage use.

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

2. The buildings for the propose development will cross underlying platted lot lines. Current State building code and City enforcement requires the underlying platted lot line be dissolved by Certified Survey Map (CSM) prior to issuance of any building permit. A CSM and required supporting information shall be prepared and submitted to the City of Madison Planning Department when the plan is readied for approval. The CSM shall be approved by the City and recorded with the Dane County Register of Deeds prior to issuance of a building permit.
3. Note that there are retained easements from the road and alley that were vacated within this site. If not already done, any retained easements may need to be released as part of the site development process.
4. This site falls within the City of Madison TMDL Zone 4 Erosion Control Enforcement. Stringent erosion control measures shall be required.
5. Please provide environmental reports, for reference only.
6. It is understood that a formal site plan approval will be submitted to the City for review and comment prior to the approval of any specific site improvements. Future plans for the site shall include, but not be limited to a complete site plan, utility plan, grading and erosion control plan and stormwater management plan. More detailed comments from Engineering will be provided at that time.
7. It is anticipated that the future development of the site will require a developer's agreement prior to approval.
8. Provide an existing site plan showing the limits of disturbance, which buildings will be removed, and the proposed abandonment of all utilities and driveways as required for the demolition. Show the restoration of the curb and gutter, sidewalk and pavement as necessary for this work.
9. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass (POLICY).
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. 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).
12. All damage to the pavement on Livingston, Mifflin, Dayton 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).
13. INFORMATIONAL: The future 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).

14. The applicant shall demonstrate compliance with MGO Section 37.07 and 37.08 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.
15. 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.
16. 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).
17. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to:
 - a) Reduce TSS off of the proposed development by 80% when compared with the existing site.
 - b) 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 MGO Chapter 37.Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.
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

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

NOTE: Email file transmissions preferred lzenchenko@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
 - g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans)
21. INFORMATIONAL: The area adjacent to this proposed development has a known flooding risk. All entrances shall be 2-feet above the adjacent sidewalk elevation or 1-foot above the 100-year regional flood elevation (whichever is greater). This includes garage entrances (POLICY).
22. 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>.
23. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing storm sewer lateral which must be permanently or temporarily disconnected from the public storm sewer system as part of the proposed work. 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 37.05(7)).
24. 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)).
25. All outstanding Madison Metropolitan Sewerage District (MMSD) 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)).
26. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area (POLICY).
27. City of Madison Environmental Projects Staff have reviewed the subject site and determined that a Phase I ESA **will** be required of the applicant. The applicant shall provide one (1) digital and two (2) hard copies of an ASTM Phase I ESA prepared by and environmental professional. Staff review of this Phase I ESA will determine if a further investigative Phase II ESA is also required. Please submit any relevant Phase I and Phase II ESAs to Brynn Bemis (608-267-1986, bbemis@cityofmadison.com) for further review (MGO 16.23(5)(g)(2)).

Zoning Administrator (Contact Pat Anderson, 266-5978)

28. The existing records and electronic storage building at 710 East Mifflin Street shall not be a part of this application, pursuant to Section 28.137(2)(c): the uses allowed within a planned multi-use site are limited to those uses that are allowed within the zoning district(s) in which the site is located. Section 28.185(7)(a)5. Requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by Recycling Coordinator, Mr. George Dreckmann (608-267-2626).
29. Section 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.
30. Section 28.185(9)(a). A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
31. Redefine lot lines via a Certified Survey Map. A property line cannot go through a building without a fire wall down the lot line pursuant to Section 705.1.1 of the International Building Code. CSM shall be approved before sign off of final plans.
32. Any future use or development will require approvals from the water utility, as a portion of the site is located within Wellhead Protection District No. 24.
33. Provide detail on the designated Usable Open Space as defined in Sec. 28.211 that complies with Sec. 28.140.
34. Provide lot coverage calculation with final site plans. NOTE: lot coverage shall not exceed 80%.
35. Exterior lighting if provided shall be in accordance with MGO Section 10.085. Provide an exterior lighting plan and fixture cut sheets, with the final plan submittal.
36. Provide minimum bike parking stalls including guest stalls in a safe and convenient location on an impervious surface subject to Section 28.141(11) to be shown on the final plan. Bike parking shall comply with MGO Table 28I-3 (General Regulations). Provide details of bike rack.
37. Pursuant to Sec. 28.142(3) Landscape Plan and Design Standards: Landscape plan for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
38. Parking requirements for persons with disabilities must comply with Sec. 28.141(4)(e). Final plans shall show the required accessible stalls, including van accessible stalls.

Traffic Engineering (Contact Eric Halvorson, 266-6527)

39. Applicant may be required to provide a traffic impact assessment for future conditional use of the property.
40. Applicant shall provide vision clearances in accordance with M.G.O. Section 27.05(2)(bb) for temporary and future permanent uses of the property.
41. The applicant shall submit one contiguous plan for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
42. 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.

43. 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.
44. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

Fire Department (Contact Bill Sullivan, 261-9658)

45. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.
46. Provide fire apparatus access as required by IFC 503 2012 edition, MGO 34.503.
47. Please consider allowing Madison Fire Department to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Lt. Scott Bavery (608) 576-0600.

Parks Division (Kay Rutledge, 266-4816)

48. Park impact fees will be due for this project. The applicant indicates that they will be making a subsequent submittal to the Plan Commission for a Conditional Use Approval. Since the multi-family unit count for this development is preliminary, park impact fees will be determined when the Conditional Use is submitted. Park impact fees will be due prior to sign-off on the conditional use and/or the issuance of any permits.

Note: Fees increase annually. 2014 fees for multi-family residential development are as follows: Fees in lieu of dedication = \$1,799.00 per unit; Park development fees = \$662.95 per unit (Total = \$2,461.95 per unit).

49. 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 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.
50. Additional street trees are needed for this project. 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 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. Tree planting specifications can be found in section 209 of *City of Madison Standard Specifications for Public Works Construction*- <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part2.pdf>.
51. 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>.
52. This development is within the Tenney-Law-James Madison impact fee district (SI26). Please reference ID# 13175 when contacting Parks about this project.

No other agencies submitted comments for this request.