



Project Address: 1314-1326 E Washington Avenue (District 2 – Ald. Zellers)

Application Type: Rezoning, Demolition Permit, & Conditional Use

Legistar File ID #: [52572](#)

Prepared By: Sydney Prusak, Planning Division
Report includes comments from other City agencies, as noted.

Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Contact: Ben Marshall; Gorman & Company, LLC; 200 N Main Street; Oregon, WI 53575

Property Owner: County of Dane, WI; 210 Martin Luther King Jr. Blvd

Requested Action: Approval of three demolition permits, the rezoning of the property from Commercial Corridor - Transitional (CC-T) and Traditional Residential - Varied 1 (TR-V1) to Traditional Employment (TE), and the following conditional uses: 1) Dwelling units in a mixed-use building, 2) A new building that has more than five stories in the TE District, 3) A counseling, community services organization in the TE District to construct a mixed-use building containing 59 Residential units with 2,661 square-feet of commercial space at 1313- 1326 E Washington Avenue.

Proposal Summary: The applicant proposes to demolish two commercial buildings and one three-family dwelling to construct a 108,570-gross-square-foot, mixed-use building with 2,661 square-feet of ground floor commercial space and 59 residential units, with structured parking for 73 automobiles and an additional 12 surface parking stalls.

The applicant has requested funding from the City’s Affordable Housing Fund and is seeking affordable housing tax credits from the Wisconsin Housing & Economic Development Authority (WHEDA). If awarded these tax credits, the project is scheduled to commence construction in early 2020, with completion anticipated in mid-2021.

Applicable Regulations & Standards: This proposal is subject to the standards for Zoning Map Amendments [MGO §28.182(6)], Demolition Permits [MGO §28.185], Conditional Uses [MGO §28.183(6)], and Urban Design District #8 Requirements [MGO §33.24(15)(e)].

Review Required By: Urban Design Commission (UDC), Plan Commission (PC), and Common Council (CC)

Summary Recommendations: The Planning Division recommends that the Plan Commission find that the approval standards for zoning text amendments can be met, and forward the rezoning request to the Common Council with a recommendation to **approve**. Furthermore, the Planning Division recommends that the Plan Commission find that the approval standards for demolition and conditional uses can be met, and **approve** the demolition and conditional use requests. These recommendations are subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Background Information

Parcel Location: The 42,984-square-foot (0.987-acre) subject site is currently comprised of three separate parcels located on the northeast side of East Washington Avenue between North Baldwin Street and North Dickinson Street. It is located in Aldermanic District 2 (Ald. Zellers); Urban Design District #8 (UDD 8); and the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site is currently comprised of three separate parcels, which will be combined into one larger parcel, through a Certified Survey Map (CSM), pending land use approvals. The existing western most parcel of the proposed subject site is currently zoned Commercial Corridor – Transitional (CC-T) and is developed with a two-story, three-unit residential building. The existing center parcel is zoned Traditional Residential – Varied 1 (TR-V1) and is developed with a one-story, 3,778 square-foot, vacant commercial building (previously office space for Messner’s Supplies). The existing eastern most parcel is zoned Traditional Employment (TE) and is developed with a two-story, 20,117 square-foot, vacant commercial building (previously retail and warehouse space for Messner’s Supplies).

Surrounding Land Uses and Zoning:

- Northeast: A surface parking lot, zoned Traditional Employment (TE), and a Historic Madison Landmark Building currently used as a restaurant (Pasqual’s), zoned TE;
- Southeast: Warehouse and office space, zoned TE;
- Northwest: A daycare, zoned TE, with single-family and two-family residences, zoned Traditional – Residential Varied 1 (TR-V1) beyond; and
- Southwest: Two-family and multi-family residences and a tavern, zoned Commercial Corridor – Transitional (CC-T).

Adopted Land Use Plan: Given the length of the subject site along East Washington Avenue and multiple parcels involved, the adopted plans recommendation both community mixed-use (CMU) and employment for the subject site. A full examination of these recommendations is included in the analysis section of this report.

Zoning Summary: The subject property currently comprised of Commercial Corridor – Transitional (CC-T), Traditional Residential – Varied 1 (TR-V1), and Traditional Employment (TE), but as proposed will be entirely TE District Zoning.

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	42,984 sq. ft.
Lot Width	50’	238.90’
Front Yard Setback	None	15.03’
Side Yard Setback: Where buildings abut residentially-zoned lots at side lot line.	Minimum Side yard required in the adjacent residential district (TR-V1): 5’	50.53’ West side
Side Yard Setback: Other cases	None unless needed for access	.25’ East side
Rear Yard Setback	Lesser of 20% lot depth or 20’	20.36’
Usable Open Space	20 sq. ft./bedroom (3,000 sq. ft.)	Adequate
Maximum Lot Coverage	85%	80%
Minimum Building Height	22’ measured to building cornice	6 stories
Maximum Building Height	5 stories/69’	6 stories

Site Design	Required	Proposed
Number Parking Stalls	Multi-family dwelling: 1 per dwelling (59) Counseling, community services organization/office: 1 per 400 sq. ft. floor area(7) (66 total)	73 enclosed 12 surface (85 total)
Accessible Stalls	Yes	Yes
Loading	Not required	None
Number Bike Parking Stalls	Multi-family dwelling: 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (75) 1 guest space per 10 units (6) Counseling, community services organization/office: 1 per 2,000 sq. ft. floor area (2 minimum) (83 total)	78 enclosed 22 surface (100 total)
Landscaping and Screening	Yes	Yes (51)
Lighting	Yes	No (52)
Building Forms	Yes	Flex building (46)

Other Critical Zoning Items	Urban Design (UDD #8), Utility Easements, Barrier Free (ILHR 69)
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Tables Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Environmental Corridor Status: The property is not located within a mapped environmental corridor.

Public Utilities and Services: The site is served by a full range of urban services, including daily Metro Transit service along E Washington Avenue at stops in the Dickinson Street intersection. Trips operate at least once every 30 minutes on weekdays, and once an hour in each direction on weekends.

Project History

In June of 2017, the Dane County Department of Administration – Purchasing Division issued a Request for Proposals (RFP) for a mixed-income, mixed-use, multi-family housing development for property at 1314, 1318, and 1326 East Washington Avenue. The RFP was targeted to include the specific populations:

Projects designed to serve individuals and families with a range of incomes and should prioritize those who are at or below 50% of the Area Median Income (AMI), and those that are extremely low income who are at or below 30% of the area median income; veterans; the elderly; and the disabled.

Along with these specific populations, the RFP also included specific types of development projects including those that:

Meet the income, occupancy, and rent restrictions of low income housing tax credits (LIHTC); include housing for households with income at or below 30% of County Median Income (CMI); improve access to rental housing through generous tenant screening criteria; and include 3+ bedroom units.

Based on this criteria, the applicant, Gorman and Company, LLC, was selected by Dane County as the development team to manage and construct this project.

Project Description

The applicant proposes to demolish all buildings on the subject site for construction of a mixed-use building with 59 residential units, 2,661 square-feet of commercial space, and 85 parking stalls.

Zoning Map Amendment – The applicant proposes to rezone portions of the property from Commercial Corridor – Transitional (CC-T) and Traditional Residential – Varied 1 (TR-V1) to Traditional Employment (TE). A majority of the subject property is already zoned TE, and the adopted plans recommend employment for the eastern portion of the site.

Demolition – All existing buildings on the property are proposed for demolition. These include two commercial buildings that previously belonged to Messner’s Supplies, and a two-story, three-family dwelling. According to Assessor’s records, the residential building is approximately 1,916-square-feet and was constructed in 1883. The applicant has indicated that they will work with the current building tenants to ensure that they are aware of timing and relocation.

One of the vacant commercial buildings proposed for demolition is approximately 3,778-square-feet. The City Assessor estimates that the structure may be three separate buildings constructed between 1926 and 1955, however there is no separate construction data. The second vacant building proposed for demolition is 20,117-square feet, and was originally constructed in 1926. Photos of the existing structures are available here: <https://madison.legistar.com/View.ashx?M=F&ID=6483699&GUID=651AD236-79E5-41FE-B0F5-30CDB1D7154E>.

Proposed Land Use – Upon demolition, the applicant proposes to construct a six-story mixed-use building with 2,661 square-feet of commercial space and 55 dwelling units on floors three through six, with four two-story townhouse style units on the rear of the building. The first floor commercial space will be leased to a counseling and community services agency (Dryhootch), which provides supportive services to veterans and their families. As part of this review, the applicant is seeking conditional use approval in the Traditional Employment (TE) district for dwelling units in a mixed-use building, a building greater than five stories, and an office for counseling and community services.

Proposed dwelling units range in size from 794 square-feet to 1,403 square-feet, and include 31 two-bedroom, 24 three-bedroom, and four four-bedroom units. Included in this unit mix are four two-story four-bedroom townhouses that face the rear of the site, each with their own private entries. Plans show that 52 of the apartment units will have individual unit balconies. The proposed building will also have a common area balcony on the southwest corner of the sixth floor, as well as an at grade play area in the rear of the site. The proposed residential density for the 0.987-acre site is approximately 59 du/ac.

As proposed, the development consists of a mix of units that are either market-rate, 60% of the Area Median Income (AMI), 50% AMI, or 30% AMI. According to the applicant, all residential units are targeted for veterans and their families and will have a preference for veteran families.

As previously stated, there will be a counseling and community services organization occupying the first floor commercial space, which is a conditional use in the TE district. According to the letter of intent, this non-profit organization (Dryhootch) provides transportation services for veterans, support groups for veterans and families, employment programs, community outreach/volunteering, music therapy, pet therapy, housing services, and legal assistance. The space will also include a small coffee shop. As proposed this space will be open to the public from 8:00 AM to 5:00 PM Monday – Sunday, with occasional extended evening hours until 8:00 PM for additional

classes and programming. There will be a total of approximately five employees and six primary volunteers. The number of employees on site will vary depending on the scheduled programming.

In addition to this organization, the building will have an additional amenity area for residents on the first floor that will include a fitness area, kid play space, and a multi-purpose room. Within this area is office space for Lutheran Social Services, which will provide services to all residents, with a specific focus on the 30% AMI supportive housing units. According to the applicant, services will target the needs of families and veterans including: budgeting and financial planning; legal resources; accessing veteran resources and benefits; lease education; employment opportunities and vocational resources; transportation; energy assistance; parenting support; and physical and mental health services.

Building Placement, Bulk, and Massing – The 108,570 square-foot building cover much of the approximately 1-acre property. As proposed, the East Washington Avenue side of the building is over 188 feet long, five stories tall at street level, with a sixth story step back 15 feet. Beginning at the third floor, the building is U-shaped, with a third story courtyard area facing East Mifflin Street. The overall building massing has gone through many iterations and review by neighborhood residents, the UDC, and staff. Originally, as a response to neighborhood feedback on the building's height, the applicant proposed underground parking to keep the building at five stories, a height that is permitted in TE zoning. However, as a response to the flooding events in late August and early September, the applicant updated the proposal and eliminated all underground parking. This change resulted in the additional sixth story.

As proposed, a majority of the vehicle parking is structured and located within the building footprint on the first and second floors. In terms of resident parking, there are 30 covered parking stalls located on the first floor, which are bounded by the commercial and residential amenity space in the front of the building and the four townhouses in the rear. There are also 43 covered parking stalls located on the second floor. The interior parking areas are screened by concrete and masonry on the eastern and western elevations, and have windows and openings on the second floor facing East Washington Avenue that match the floors above. In addition, there will be a surface lot on the western edge of the property, with 12 vehicle parking stalls for guests and visitors. On-street parking along portions of East Washington Avenue is currently allowable in this location as well.

Access, Circulation, Parking, and Loading – Automobile access to the surface lot and first floor covered parking is provided on the west side of the building off of East Washington Avenue. A ramp to the second floor parking is located on the eastern end of the building, with immediate access on to East Washington Avenue.

In regards to bicycle parking, 78 internal bike stalls are provided, with an additional 22 stalls around the perimeter of the building. There will be two pedestrian entrances to the building along East Washington Avenue, one exclusively for residents, with another entrance for the commercial tenant. The four townhome style units on the rear of the building will each have their own individual entrance, as well as entrances from within the parking structure. Additionally, there will be one resident entrance on the rear of the building leading to a stairwell to the upper floors. Lastly, no loading zone is provided, nor is it required by Zoning.

Exterior Materials and Site Details – The palette of building colors and materials have changed significantly over the course of the past six months. As originally proposed, the applicant intended for the building to have a blue and light gray color scheme, with masonry and metal accents. As the project developed, the applicant incorporated a gold and dark gray color scheme, with darker and more pronounced masonry and metal accents. Along East Washington Avenue, a majority of the five-story façade is a golden architectural precast unit masonry, with larger windows on the ground floor. At the eastern end of the street facing façade, corrugated medium gray metal paneling is applied to the building wall and overhead door to the interior parking.

As proposed, the building extends directly to the eastern property line, which is permitted in TE District Zoning. The applicant proposes to construct a five-story precast concrete panel wall abutting the East Washington Avenue end of the building, with a two story wall extending to the rear. In order to conform to Fire and Building Code requirements, windows and openings are not allowed on building walls with a zero-lot line. The applicant also proposes a narrower five-story precast masonry wall on the western elevation.

Project Analysis

The proposed project is subject to the standards for Zoning Map Amendments [MGO §28.182(6)], Demolition Permits [MGO §28.185(7)], Conditional Uses [MGO §28.182(6), and Urban Design District #8 Standards [[MGO §33.24(15)].

Conformance with Adopted Plans

The [2018 Comprehensive Plan](#) recommends community mixed-use (CMU) for the western portion of the site and employment for eastern portion the subject site. CMU calls for building heights between two and six stories, with a density up to 130 dwelling units per acre (du/ac). Employment areas are not generally recommended for residential uses, though such uses may be considered as part of a conditional use under relevant zoning districts. Similarly, The [East Washington Avenue Capitol Gateway Corridor Plan \(2008\)](#) recommends CMU and employment for the subject site. The Plan calls for a maximum façade height of five stories within 15 feet of the street and maximum internal building height of eight stories, with a minimum 15 foot setback from East Washington Avenue. The Plan also has specific urban design recommendations for the subject site, including scaling buildings compatibly with adjacent residential properties.

Lastly, the [Tenney-Lapham Neighborhood Plan \(2008\)](#) recommends CMU and employment along the 1300 block of East Washington Avenue, with a specific action step calling for redevelopment of vacant and underutilized sites. According to this Plan, CMU is defined as an average net density of 41 to 60 du/ac, typically located on a transit route. This Plan has more specific recommendations and goals in conjunction with the Tenney-Lapham Neighborhood. Namely that solar access to residential housing on Mifflin Street must be protected and that architectural features be consistent on all sides so that interesting features face the neighborhood as well as East Washington Avenue. The neighborhood plan also states that commercial delivery trucks should not travel on residential streets and that developments should incorporate alleys that would be large enough to accommodate delivery trucks. Furthermore, the plan calls for transit-oriented development with a parking space ratio between 1 and 1.5 spaces per unit, with a mix of street, off-street and underground parking is desirable. Lastly, setbacks along East Washington Avenue should allow for the planting and maturation of tall trees.

The Planning Division believes that this proposal generally conforms to these recommendations. This will be a mixed-use building, with a commercial use on the first floor and residential units above. While the Plan states that employment areas are not generally recommended for residential uses, the Plan does allow residential uses to be considered through the conditional use process. Furthermore, staff believes that the commercial delivery, transit oriented development, and landscaping recommendations are also met with this proposal.

In regards to the building's compatibility with residential properties, the proposal meets all the necessary Zoning and Urban Design District requirements in terms of massing, setbacks, and stepbacks. Staff believes that the townhome style units on the rear of the site help orient the building to the residential character of East Mifflin Street. As a Condition of Approval, the applicant shall receive final approval from the Urban Design Commission to address the project's compatibility with the surrounding neighborhood.

Standards for Zoning Map Amendments

This proposal is subject to the standards for Zoning Map Amendments, as portions of the subject property will need to be rezoned from Commercial Corridor – Transitional (CC-T) and Traditional Residential – Varied 1 (TR-V1) to Traditional Employment (TE). MGO §28.182(6) states that, “Map 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. “Consistent with” has been defined in State Statutes as “furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan.” Given that all the adopted plans calls for employment on the eastern side of the property, staff believes that the proposed rezoning from CC-T and TR-V1 to TE is generally consistent with the plan recommendations. Furthermore, as it stands currently, a majority of the subject site is already zoned TE.

Staff believes that the standards for Zoning Map Amendments can be found met.

Demolition Approval Standards

In order to approve a demolition request, the Plan Commission must find that both the requested demolition and the proposed future use are compatible with the purpose of the demolition section of the Zoning Code and the intent and purpose expressed in the Traditional Employment (TE) Zoning District. A copy of the statement of purpose is provided as Attachment #1. The purpose of the demolition section is to aid in the implementation of adopted City plans, protect neighborhood character, preserve historic buildings, encourage the reuse and/or relocation of existing buildings, discourage buildings falling into a state of severe disrepair from lack of maintenance by the owner, encourage compliance with building and minimum housing codes, and allow the property owner to have a decision on approval or disapproval of the proposed use of the property before he or she takes the irrevocable step of demolishing or moving the buildings.

The two commercial buildings proposed for demolition are vacant, and the [photos](#) provided show broken ceiling panels and cracked flooring. No structural information has been provided. The three-family residential building is currently occupied.

The demolition standards state that the Plan Commission shall consider and may give decisive weight to any relevant facts including impacts on the normal and orderly development of surrounding properties and the reasonableness of efforts to relocate the building. The demolition standards also state that the proposed uses should be compatible with adopted plans, which are discussed above.

Finally, the demolition standards state that the Plan Commission shall consider the report of the City’s Historic Preservation Planner regarding the historic value of the property as well as any report submitted by the Landmarks Commission. At their June 4, 2018 meeting, the Landmarks Commission voted to recommend to the Plan Commission that the building at 1314 East Washington Avenue has historic value related to the vernacular context of Madison’s built environment, but the building itself is not historically, architecturally, or culturally significant, and the buildings at 1318 and 1328 East Washington Avenue have no known historic value.

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

Conditional Use Standards

The applicant is requesting approval of three conditional uses. According to Table 28F-1, dwelling units in a mixed-use building, a new building that is more than five stories, and a counseling community services organization are

all conditional uses in the Traditional Employment (TE) Zoning District. In regards to conditional use approval standards, the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of MGO §28.183(6) are met. Please note, recent changes to state law requires that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation.

The Planning Division believes that this proposal generally conforms to the adopted plan recommendations for the subject site. Regarding design guidelines and conformity to the design standards for Urban Design District #8, staff notes that the Urban Design Commission (UDC), meeting in regular session, granted the project initial approval on October 24, 2018. The UDC found that the district requirements and guidelines could be found met, but had additional concerns and clarifications regarding the building's design, specifically the eastern and western 5-story blank walls. They also expressed concern over the play area in the rear of the site and the lack of connection with the proposed building. As a condition of approval, the project shall receive final approval from the UDC prior to final sign-off by staff.

This proposal will replace a long vacant commercial site with a mixed-use building including resident and community-serving commercial space. The neighborhood expressed support for affordable housing on site, with a focus on veteran-led families. The area is well-served by transit and bicycle infrastructure, and the site is in walking distance to many neighborhood amenities and services. The applicant has provided adequate vehicle parking for both the residential and commercial uses, and has provided ample bicycle parking throughout the site. Staff does have concerns with the activation of the play area in the rear of the site given its distance from the proposed building. As a condition of approval, the applicant shall work with Planning Staff and the UDC for a more inclusive and safe design.

The Planning Division believes that the Conditional Use Standards can be found met, with the recommended conditions. Further analysis is included on standards 12 and 9.

In regards to the proposed height, Conditional Use Standard #12 states, "When applying the above standards to an application for height in excess of that allowed in the district, the Plan Commission shall consider recommendations in adopted plans; the impact on surrounding properties, including height, mass, orientation, shadows and view; architectural quality and amenities; the relationship of the proposed building(s) with adjoining streets, alleys, and public rights of ways; and the public interest in exceeding the district height limits."

Staff believes that this standard can be found met. As proposed, the project exceeds the five-story height limit permitted in TE Zoning, yet it remains below the height limit in terms of total feet. The building measures out at approximately 67'8", which is just under the 68-foot height limit. In terms of adopted plan recommendations, the general land use recommendation in the [2018 Comprehensive Plan](#) recommends up to six-stories at this site while the more specific [East Washington Avenue Capitol Gateway Corridor Plan \(2008\)](#) and [Tenney-Lapham Neighborhood Plan \(2008\)](#) recommend up to eight stories (with setbacks and stepbacks). The applicant provided the neighborhood steering committee with shadow studies when the building was originally proposed at 62 feet. The applicant has not provided a follow up shadow study, but indicated that for the worst case scenario in winter, shadows could lengthen by a foot or more when the sun is very low. The winter scenarios in the initial studies generally did not reach across East Mifflin, with some impacts on the adjacent day care (Tenney Nursery) during the winter months.

Conditional Use Standard #9 states, "When applying the above standards to any new construction of a building or an addition to an existing building, the Plan Commission shall find that the project creates an environment of

sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district. In order to find that this standard is met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission for comment and recommendations.” As proposed, staff does not believe this standard is met. Staff’s primary concern is regarding the “blank” walls, which was also a comment raised by the UDC. In order to meet this Standard, staff recommends that these facades be revised to include more articulation, with details to be approved by the UDC after review by staff.

Public Input

Correspondence from the neighborhood has been provided in the Plan Commission materials. Staff notes that the applicant has participated in multiple neighborhood steering committee meetings. On October 11, 2018 the Tenney-Lapham Neighborhood Association Council voted 6-2, with one abstention, to support the development proposal for the subject site. As part of their support, the neighborhood included conditions they would like to be applied to the development in regards to the project’s ability to contribute to the greater neighborhood. The Planning Division wishes to emphasize that any approval condition must be found necessary to meet a specific Standard of Approval as described above.

Conclusion

The applicant proposes to demolish two commercial buildings and one three-family dwelling to construct a 108,570-gross-square-foot, mixed-use building with 2,661 square-feet of ground floor commercial space and 59 residential units with structured parking for 73 automobiles and an additional 12 surface parking stalls. To facilitate this redevelopment, the applicant requests approval of three demolition permits, three conditional use requests, and a zoning map amendment to rezone portions of the subject site from CC-T (Commercial Corridor – Transitional) and TR-V1 (Traditional Residential – Varied 1) to TE (Traditional Employment).

Staff believes that this development will make a positive impact in the area, replacing a vacant commercial space with a mixed-use building, that includes affordable housing and support services targeted at veteran families. The subject site is well served by transit and bicycle infrastructure, and is within walking distance of many neighborhood services and amenities. Given the significance of the building and the Urban Design District #8 design requirements, several details will need to be submitted for further review and final approval by the Urban Design Commission.

Recommendation

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

The Planning Division recommends that the Plan Commission find that the approval standards for zoning map amendments can be met, and forward the rezoning request to the Common Council with a recommendation to **approve**. Secondly, the Planning Division recommends that the Plan Commission find that the standards for demolition and conditional uses can be met, and **approve** the demolition and conditional use requests. These recommendations are subject to input at the public hearing and the conditions from reviewing agencies in this report.

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

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

1. The pending Certified Survey Map (CSM) application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction.
2. Prior to final review and approval by staff, the Urban Design Commission must grant final approval for the design, and the applicant shall meet any conditions of approval recommended by the Urban Design Commission.
3. The applicant shall revise the east and west elevations to provide additional articulation with details to be approved by UDC after review by Planning Division Staff.
4. The applicant shall work with City Staff and the Urban Design Commission on the details and programming of the play area in the rear of the site.
5. No HVAC "wall-pack" penetrations/louvers are shown on the street-facing facades. Unless specifically approved by the Plan Commission, the addition of wall packs on outward-facing walls is not included in this approval and will require approval of an alteration to this conditional use should they be approved at a later time.
6. If dogs are allowed on site, a station for the collection of dog waste shall be included in the project to discourage dog waste from collecting on nearby streets.

City Engineering Division (Contact Brenda Stanley, (608) 261-9127)

7. The area adjacent to this proposed development has a known flooding risk. All entrances shall be 2-feet above the adjacent sidewalk elevation or an elevation of 852.00 (whichever is greater). This includes garage entrances. (POLICY).
8. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. The permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
9. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO16.23(9)(d)(4))
10. 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)
11. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR in order to comply with TMDL limits.
12. 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)

13. The Applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number: a) Building Footprints b) Internal Walkway Areas c) Internal Site Parking Areas d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.) e) Right-of-Way lines (public and private) f) Lot lines or parcel lines if unplatted g) Lot numbers or the words unplatted h) Lot/Plat dimensions i) Street names j) Private on-site sanitary sewer utilities (including all connections to public sanitary) k) Private on-site storm sewer utilities (including all connections to public storm)All other levels (contours, elevations, etc) are not to be included with this file submittal. NOTE: Email CAD file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.
14. The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:a) SLAMM DAT filesb) RECARGA filesc) TR-55/HYDROCAD/Etcd) Sediment loading calculations. If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided. (POLICY and MGO 37.09(2))
15. This project appears to require construction dewatering. A dewatering plan shall be submitted to City Engineering as part of the Erosion Control Permit application and plan. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.
16. This project appears to require permanent dewatering. A permit to connect to the public stormwater system shall be required from City Engineering. Additionally, a permit for non-storm discharge to the storm sewer system from the City/County Health Department shall also be required. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to issuance of the connection and non-storm discharge permits.
17. 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)
18. Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer. (POLICY AND MGO OVER 10,000 SF OF IMPERVIOUS AREA 10.29 and 37.05(7)(b))
19. The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity. (POLICY)

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 Reduce TSS by 80% off of the proposed development when compared with the existing site.
21. 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.
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. This project will require a concrete management plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. (POLICY)
24. Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project. Include copies of all stormwater, utility, and detail plan sheets that contain stormwater practices on 8.5x14 size paper in the draft document. These drawings do not need to be to scale as they are for informational purposes only. Once City Engineering staff have reviewed the draft document and approved it with any required revisions submit a signed and notarized original copy to City Engineering. Include a check for \$30.00 made out to Dane County Register of Deeds for the recording fee. City Engineering will forward the document and fee for recording at the time of issuance of the stormwater management permit. Draft document can be emailed to Tim Troester (west) at ttroester@cityofmadison.com, or Daniel Olivares at DAOlivares@cityofmadison.com final document and fee should be submitted to City.
25. 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>.

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

26. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel- Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.
27. All portions of planters and other improvements other than paving shall be moved out of the public right of way of E. Washington Ave onto the private lot.
28. The address of the apartments is 1322 E Washington Ave. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
29. Submit a Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan for each floor on a separate sheet for the development of a complete interior addressing plan. The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and

consent from the Fire Marshal if needed) prior to the application submittal for the final Site Plan Approval with Zoning. The approved Addressing Plan shall be included in the final application. For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved. The final revised Addressing Plan shall be submitted by the applicant to Zoning to be attached to the final filed approved site plans.

Traffic Engineering (Contact Sean Malloy, (608) 266-5987)

30. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; 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.
31. 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.
32. 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.
33. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
34. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
35. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.
36. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
37. 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 Austin Scheib, (266-4766) 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.

38. Items in the Right-of-Way are not approvable through site plan approval, work with City Real Estate to start the 'Privilege in Streets' process to obtain an Encroachment Agreement for items in the Right-of-Way (bicycle racks, planters, etc.)
39. "Stop" signs shall be installed at a height of seven (7) feet at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
40. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
41. Secure parking facility. This is usually done with continuous six (6) inch curb, timbers, preformed wheel stops, guardrail erected at a height of eighteen (18) inches or fencing of sufficient strength to act as a vehicle bumper.
42. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
43. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.
44. All parking ramps as the approach the public Right-of-Way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the Right-of-Way. If applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.
45. The applicant shall dedicate or provide easement for 13' sidewalk/terrace. This is consistent with what has been requested at similar developments along East Washington Avenue.

Zoning (Contact Jenny Kirchgatter, (608) 266-4429)

46. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (608-266-4682).
47. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
48. Submit an updated dwelling unit summary with the final plan submittal including the number and type of dwelling units per floor.
49. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
50. Exterior lighting provided shall be in accordance with City of Madison General Ordinances Section 10.085. Provide an exterior lighting plan and fixture cut sheets with the final plan submittal.
51. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

52. 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.

Madison Fire Department (Contact Bill Sullivan, (608) 261-9658)

53. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Tracy Burrus at tburrus@cityofmadison.com or (608)266- 5959.

Madison Police Department (Contact Jason Freedman, (608) 261-9274)

54. No specific issues. Vertical density in the Isthmus should spark a broader review/examination of city services to make sure that MPD, MFD, and others have enough resources.

Parks/Forestry Review (Contact Sarah Lerner, (608) 261-4281)

55. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the East Park -Infrastructure Impact Fee district. Please reference ID# 18157 when contacting Parks about this project.

56. The park impact fee will be exempt for developments that meet the “low-cost housing” requirements, as defined as rental or owner-occupied housing units that are affordable, as that term is defined in Sec. 4.22(2), MGO, and which meet the deed restriction requirements of Sec. 4.22(7). The determination whether a proposed development will create low-cost housing, and how much low-cost housing it will create, shall be made by the Community Development Division.

57. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.

58. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266- 4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <https://www.cityofmadison.com/business/pw/documents/StdSpecs/2018/CompleteSpecBook.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the

change in the tree plan.

59. Contractor shall contact City Forestry Brad Hofmann bhofmann@cityofmadison.com or 266-4816 at least one week prior to planting to schedule inspecting the nursery stock and review planting specifications with the landscaper.
60. Additional street trees are needed for this project. All street tree planting locations and trees species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction –
61. City Forestry will issue a removal permit for two trees: 2” Pear for Underground utility excavation & 15” Elm for new driveway installion. Please contact Brad Hofmann – bhofmann@cityofmadison.com or 266-4816 to obtain the street tree removal permit.

Water Utility (Contact Adam Wiederhoeft, (608) 266-9121)

62. Private wells may have served the parcels associated with this project prior to municipal water service connections. The existing properties will require an internal and external survey for potential unabandoned private wells prior to proceeding with demolition. Any remaining unused/unpermitted private wells existing on this parcel must be properly abandoned according to Wisconsin Administrative Code NR 812 and Madison General Ordinance 13.21 prior to the demolition of the property. Please contact water utility staff at (608) 266- 4654 to schedule an on-site private well survey prior to demolition, otherwise for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs.

63. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.
64. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility’s Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumberscontractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.
65. Madison Water Utility will be required to sign off as part of the approval review associated with this Land Use Application/Site Plan Review prior to the issuance of building permits for the proposed development.

Metro Transit (Contact Timothy Sobota, (608) 261-4289)

66. Metro Transit staff, as well as our passengers and other stakeholders in the Capitol East District, have identified that the existing hourly bus service frequency that operates on Route 6 along East Washington

Avenue on weekends and holidays is inadequate for the densities and uses that are being proposed, and have been previously approved.

67. As part of the 2019 budget process, Metro Transit has again submitted an operating budget request that includes an investment proposal that would afford an increase to the bus service frequency in the East Washington Avenue corridor on weekends and holidays, to more frequent trips running every 30 minutes. The supplemental budget request for an approximate annual operating cost of \$450,000 - that would be necessary to implement this service frequency increase, by using four additional buses on weekends and holidays - did not get debated or adopted when it had been identified in last year's 2018 operating budget request.
68. Metro Transit provides daily bus service along East Washington Avenue, at stops in the Dickinson Street intersection. Trips operate at least once every 30 minutes on weekdays, but do only pass once an hour in each direction on weekends.