

PLANNING DIVISION STAFF REPORT

July 25, 2022

PREPARED FOR THE PLAN COMMISSION



Project Address: 402 W Wilson Street (District 4, Ald. Verveer)
Application Type: Planned Development Zoning Map Amendment (PD-GDP-SIP) and Demolition Permit
Legistar File ID # [71883](#) & [72468](#)
Prepared By: Lisa McNabola, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Contact & Applicant: Nick Orthman; Bear Development, LLC; 4011 80th Street, Kenosha, WI 53142

Property Owner: Barb Kachelski; Responsible Esthetics, LLC; 402 West Wilson Street, Madison, WI 53703

Requested Actions: Approval of a Zoning Map Amendment from Planned Development District-General Development Plan-Specific Implementation Plan (PD-GDP-SIP) to Amended PD-GDP-SIP, and approval of a demolition permit to demolish a street facing wall of a two-story office building at 402 West Wilson Street.

Proposal Summary: The applicant is proposing to convert a two-story office building into a four-story residential building with 54 units, which requires the demolition of a street facing wall to increase the building footprint.

Applicable Regulations & Standards: This proposal is subject to the standards for demolition permits [MGO Section 28.185(7)], Zoning Map Amendments [MGO §28.182(6)], and Planned Developments [MGO §28.098(2)].

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

Summary Recommendation: The Planning Division recommends the following to the Plan Commission regarding the applications for 402 West Wilson Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission find that the standards for demolition permits are met and **approve** the demolition of a street-facing wall of a two-story office building at 402 West Wilson Street
- That the Plan Commission forward Zoning Map Amendment IDs 28.022-00569 and 28.022-00570, rezoning the subject property to the Amended Planned Development-General Development Plan-Specific Implementation Plan (PD-GDP-SIP), to the Common Council with a recommendation of **approval**

Background Information

Parcel Location: The 21,434 square-foot (.49-acre) parcel is located at the northwest corner of West Wilson Street and South Broom Street. It is located within Alder District 4 (Ald. Verveer) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The site is occupied by a 19,690 square-foot, two-story office building. It is zoned Planned Development (PD) District.

Surrounding Land Use and Zoning:

Northwest: Single family building and two-unit building, zoned Planned Development (PD) District;

Northeast: Across South Broom Street, multifamily building, zoned PD District;

Southeast: Across West Wilson Street, multifamily building, zoned Downtown Residential 2 (DR-2) District.

Southwest: Multifamily building, zoned DR-2 District; and

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Medium Residential (MR) for the subject site and surrounding properties. The [Downtown Plan](#) (2012) recommends Predominant Residential development for the subject site and surrounding properties.

Zoning Summary: The property is in the Planned Development (PD) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	As per approved plans.	As per submitted plans.
Lot Width	As per approved plans.	As per submitted plans.
Front Yard Setback	As per approved plans.	As per submitted plans.
Side Yard Setback	As per approved plans.	As per submitted plans.
Rear Yard Setback	As per approved plans.	As per submitted plans.
Usable Open Space	As per approved plans.	As per submitted plans.
Maximum Lot Coverage	As per approved plans.	As per submitted plans.
Floor Area Ratio	As per approved plans.	As per submitted plans.
Maximum Building Height: Downtown Height Map	4 stories	4 stories
Stepback: Downtown Stepback Map	None	None

Site Design	Required	Proposed
Number Parking Stalls	As per approved plans.	As per submitted plans. (5)
Accessible Stalls	Yes	Yes
Loading	As per approved plans.	As per submitted plans.
Number Bike Parking Stalls	Multi-family dwelling: 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (54) 1 guest space per 10 units (5) (59 total)	60 underground 6 surface (60 total) (2)(6)
Landscaping and Screening	Yes	Yes
Lighting	Yes	None (9)
Building Forms	As per approved plans.	As per submitted plans. (8)

Other Critical Zoning Items		
Urban Design	Yes	PD
Barrier Free (ILHR 69)	Yes	
Utility Easements	Yes	

Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

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

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

Previous Approvals

A Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) was approved in 1981 for properties associated with 402 West Wilson, 401 and 403 West Doty Street, and 208 South Broom Street. The PUD allowed for a building addition and parking lot expansion at the existing office building at 402 West Wilson Street. To accommodate the parking lot the house at 208 South Broom Street was demolished and the rear yards at 401 and 403 West Doty Street were reduced. Subsequent SIP alterations were approved to allow an addition to the two-unit building at 401 West Doty Street and a front yard parking space for the single family building at 403 West Doty Street.

Please note that approvals prior to the 2013 zoning code rewrite are referred to as Planned Unit Developments (PUD). Under the current zoning code, this zoning district is called the Planned Development (PD) District.

Project Description

The applicant has requested approval of a demolition permit to demolish a street facing wall of a two-story office building at 402 West Wilson Street. The applicant has also requested approval of an amendment to the existing Planned Development-General Development Plan-Specific Implementation Plan (PD-GDP-SIP) at 402 West Wilson Street to permit the construction of a four-story residential building with 54 units. The applicant proposes to demolish the western façade of the office building, which is considered a street facing wall and therefore requires a demolition permit. The northern façade would also be demolished to accommodate the building addition. Portions of the facades facing South Broom Street and West Wilson Street would be demolished to accommodate new window and door openings. Two-stories would be added to the remaining structure and four-stories added on the north and west sides of the building. The main entrance would remain at the south east corner facing West Wilson Street.

The proposed unit mix includes 29 one-bedroom units and 25 two-bedroom units. The first floor includes a lobby and management office. Storage space is provided on each floor. Private balconies are provided, though not all units have balconies.

One underground parking level accommodates 29 spaces. There are 60 indoor bicycle stalls and six outdoor bicycle stalls. The garage entrance is on West Wilson Street. The applicant is providing a public sidewalk easement along South Broom Street for a portion of a five-foot wide sidewalk. The building is set back six feet from the property line and 3.1 feet from the proposed sidewalk.

The primary façade materials include the existing buff Indiana limestone, new limestone or stone veneer to match the existing, and espresso-colored fiber cement panel. Secondary materials include weathered steel panel and weathered steel columns. The applicant proposes to install perennials, grasses and shrubs around the base of the building. Two canopy trees are proposed along West Wilson Street and one ornamental tree along South Broom Street. An approximately 8,000 square-foot green roof would be installed around rooftop mechanical equipment.

If approved, the applicant intends to begin construction in late summer/early fall 2022, with completion in the first quarter of 2024.

Analysis and Conclusion

This proposal is subject to the standards for demolition permits [MGO Section 28.185(7)], Zoning Map Amendments [MGO §28.182(6)], and Planned Developments [MGO §28.098(2)]. This analysis begins with a summary of the adopted plan recommendations.

Conformance with Adopted Plans

The Comprehensive Plan recommends Medium Residential (MR) for the subject site and surrounding properties. The MR category may include a variety of relatively intense housing types, including row houses, small multifamily buildings, and large multifamily buildings. The general density range is 20-90 du/acre. The proposed density is 110 du/acre. When transitioning to less intense surrounding development, the Comprehensive Plan acknowledges that additional treatments may be needed. The Downtown Plan ("the Plan") recommends Predominant Residential development for the subject site and surrounding properties. Per the Plan the site is located in the Bassett Neighborhood planning area. The Plan recommends that the neighborhood continue its predominantly residential nature, with an evolving mix of new higher-density buildings carefully integrated with existing older structures that are compatible in scale and character. It also notes that slightly larger buildings should be directed to the ends of the blocks along Broom Street. The Downtown Height Map specifies a maximum building height of four stories.

Demolition Permit Standards

At its October 5, 2021 meeting, the Common Council adopted Ordinance 21-00065 (ID [67074](#)) to revise the standards and process for demolition and removal permits in Section 28.185 of the Zoning Code to remove consideration of proposed future use as a factor in approving demolition requests. In order to approve a demolition request under the revised standards, the Plan Commission shall consider the seven approval standards in §28.185(9)(c) M.G.O. when making a determination regarding demolition requests. The factors include a finding that the proposed demolition or removal is consistent with the statement of purpose of the demolition permits section and with the health, prosperity, safety, and welfare of the City of Madison.

Considering that only partial demolitions are proposed to accommodate additions and modifications, staff believes that standards related to relocation and building condition would not apply. Planning Division believes that the standards for Demolition Permits can be found met, and provide the following comments regarding standard 4:

Standard 4 states, "*The Plan Commission has received and considered the report of the City's historic preservation planner regarding the historic value of the property as well as any report that may be submitted by the Landmarks Commission.*" At its April 18, 2022 meeting, the Landmarks Commission found that the building at 402 West Wilson Street has historic value related to the context of Madison's built environment and as part of the Madison skyline, but the building itself is not significant

Zoning Map Amendment Standards

Staff believes that the Zoning Map Amendment standards can be found met. These standards, found in Section 28.182(6) M.G.O. state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of

which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City's Comprehensive Plan. 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan." While the calculated density is in excess of the recommended density range, staff believes that on balance, the proposal could be found to be consistent with the Comprehensive Plan based on factors such as the overall building form and height, which are consistent with the underlying recommendations.

Planned Development (PD) Standards and Other Applicable Regulations

The PD District is intended to facilitate the development of land in an integrated and innovative fashion, to allow for flexibility in site design, and to encourage development that is sensitive to environmental, cultural and economic considerations. The development should feature high-quality architecture and building materials. Specific objectives include promoting green building technologies, integrated land uses, preservation and enhancement of environmental features, preservation of historic buildings, enhanced open space, and the facilitation of high-quality development consistent with adopted plans. See Section 28.098(1) M.G.O. for further information. The specific approval standards for Planned Developments are provided in Section 28.098(2) M.G.O. On balance staff believes it is possible that the standards of Section 28.098(2) can be found met subject to the conditions from reviewing agencies found at the end of this report, and provides additional discussion on the following standards.

Standard (a) states that, *"The applicant shall demonstrate that no other base zoning district can be used to achieve a substantially similar pattern of development."* To avoid the creation of nonconformities that may result from removing the property from the existing PD zoning, Zoning staff has recommended continuance of PD zoning in this case.

Standard (d) states that, *"The PD District plan shall not create traffic or parking demands disproportionate to the facilities and improvements designed to meet those demands. A traffic demand management plan may be required as a way to resolve traffic and parking concerns."* The Engineering Division has accepted the Traffic Demand Management Plan (TDMP) submitted by the applicant.

Standard (e) states that, *"The PD District plan shall coordinate architectural styles and building forms to achieve greater compatibility with surrounding land uses and create an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose of the PD District."* While the proposal is for a Planned Development, staff advised the applicant to comply with the Downtown Residential 2 (DR-2) District where possible. The proposed project complies with the setbacks in the DR-2 District. The building is setback 6 feet from the property line and 3.1 feet from the proposed public sidewalk along South Broom Street. The building is located closer to the sidewalk than is typical because the applicant is granting a public sidewalk easement, as recommended by Traffic Engineering staff. As noted below, such considerations were raised in the report to the Urban Design Commission, which recommended approval of the request. Staff acknowledge that the applicant made adjustments to the proposal, including the setback between the proposed structure and adjacent residences to the north in order comply with the DR-2 District setbacks and to attempt to address concerns from neighboring property owners.

Standard (f) states that, *"The PD District plan shall include open space suitable to the type and character of development proposed, including for projects with residential components, a mix of structured and natural spaces for use by residents and visitors."* Private balconies are provided in 77% of units. Staff note

that 7% of units contain bedrooms without a window or access to a private balcony. The plans show a landscaped area with a walkway to the north along South Broom Street. During the review process, Staff met with the applicant to discuss this consideration and opportunities to amenitize the landscaped area. The applicant noted that they designed the area based on feedback from neighboring property owners.

A Planned Development shall also comply with the General Regulations of Subchapter 28I. Where the applicant proposes a development that does not comply with one or more of the regulations in those subchapters, they shall specifically request that the Plan Commission consider the application of those regulations in making its recommendations on the development, including specific language in the zoning text or depiction on the plans. The proposed bicycle parking does not comply with the bicycle parking design and location requirements in Section 28.141(11) M.G.O. In a revised letter of intent the applicant requests Plan Commission to consider the application of the following regulations. The applicant is required to provide 54 resident bicycle stalls and 5 guest stalls. They plan to provide 60 resident stalls in the underground parking garage and 6 guest stalls outside.

Section 28.141(11)(f) states, *"Up to twenty-five percent (25%) of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking."* The development would have 100% structured bicycle parking, and portions of the access aisle in the structured parking are less than 5 feet in width.

Section 28.141(11)(h) states, *"Bicycle parking not meeting dimensional or access aisle requirements may be installed but shall not count towards a minimum bicycle parking requirement."* Portions of the access aisle in the structured parking are less than 5 feet in width. All structured bicycle parking would have to count to meet the minimum bicycle parking requirement.

Urban Design Commission Recommendation

The Urban Design Commission (UDC) is required to make an advisory recommendation to the Plan Commission with specific findings on the design objectives listed in Sections 28.098(1) and 28.098 (2) M.G.O and the other requirements of that subchapter. A copy of the [Planning Division Staff Report to the UDC](#) is located under Legislative File [70519](#). At its July 13, 2022 meeting, the request received a recommendation of "final approval" with the following comments and conditions:

- The exterior building materials shall be as shown on the renderings with the following modifications being acceptable:
 - A wood or wood-like appearing product on the recess of the balconies (i.e. long-board siding or metal panel);
 - An aluminum version maintaining the Corten appearance or Corten material on the canopy;
 - A darker metal material for the guardrails for the balconies (not wood);
 - The underside of the projecting balconies to be finished with Trex or Trex-like material;
 - Any variation in the above is required to return to the Commission for review and approval.
- On the new addition, the masonry veneer on the first two stories shall be limestone (Indiana Limestone) or a masonry material that is complimentary to the limestone on the existing building as indicated in the renderings. The Applicant shall submit a cutsheet to the Urban Design Commission Secretary for review.
- Update the Landscape Plan to include:

- Chamaecyparis evergreen, especially the golden variety, and some smooth hydrangeas where serviceberry and upright junipers are shown against the north side of the building.
- Narrow arborvitae and flowering azaleas or hydrangeas mixed with upright evergreens to screen the exposed concrete of the parking entrance.
- Plantings in the space below the balconies along Broom Street, including hostas or ferns.
- The relocation of the cedar fence to the property line.
- Irrigation is strongly recommended on the green roof tray system.
- Update the Lighting Plan to include an alternate lighting sconce to comply with the dark sky ordinance and eliminate uplighting.
- The Commission has no concerns about placement of the building as it relates to Broom Street. The proposed setback is acceptable if the landscape as shown on the Landscape Plan is maintained.

Public Input

A letter from the Steering Committee Chair of the Bassett District of Capitol Neighborhoods notes, among other things, that they appreciate the development team's efforts to maximize building setbacks from adjacent properties. They support the Urban Design Commission's conditions and comments from the July 13, 2022 meeting. They request that the ground level exterior door at the north of the building be an exit only access point.

Conclusion

On balance, the Planning Division believes the applicable standards can be found met. The primary issues staff had raised on these requests were the appropriateness of the setback along South Broom Street and open space provisions. PD Zoning districts do not have pre-described setbacks and staff notes that the development complies with setbacks for the comparable Downtown Residential 2 (DR-2) District. Further, the Urban Design Commission noted in their motion that they had no concerns about the placement of the building as it relates to Broom Street. Staff also raised questions on the adequacy of usable open space, while recognizing that the applicant made several site plan modifications to address concerns raised by neighboring property owners. The Planning Division believes that on balance, it is possible that the Plan Commission could find the standards for Zoning Map Amendments and Planned Developments met with this proposal.

Recommendation

Planning Division Recommendation (Lisa McNabola, 243-0554)

The Planning Division first recommends that the Plan Commission find that the demolition standards are met and **approve** the request to demolish a street-facing wall of a two-story office building at 402 West Wilson Street. The Planning Division further recommends that the Plan Commission find the standards for Zoning Map Amendments and Planned Developments are met and forward zoning map amendment IDs 28.022-00569 and 28.022-00570, rezoning 402 West Wilson Street to amended Planned Development-General Development Plan-Specific Implementation District (PD-GDP-SIP), to the Common Council with a recommendation of **approval**. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

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

Urban Design Commission (Jessica Vaughn, 267-8740)

The Urban Design Commission recommended **final approval** of the project on July 13, 2022 subject to the following condition(s):

1. The exterior building materials shall be as shown on the renderings with the following modifications being acceptable:
 - A wood or wood-like appearing product on the recess of the balconies (i.e. long-board siding or metal panel);
 - An aluminum version maintaining the Corten appearance or Corten material on the canopy;
 - A darker metal material for the guardrails for the balconies (not wood);
 - The underside of the projecting balconies to be finished with Trex or Trex-like material;
 - Any variation in the above is required to return to the Commission for review and approval.
2. On the new addition, the masonry veneer on the first two stories shall be limestone (Indiana Limestone) or a masonry material that is complimentary to the limestone on the existing building as indicated in the renderings. The Applicant shall submit a cutsheet to the Urban Design Commission Secretary for review.
3. Update the Landscape Plan to include:
 - Chamaecyparis evergreen, especially the golden variety, and some smooth hydrangeas where serviceberry and upright junipers are shown against the north side of the building.
 - Narrow arborvitae and flowering azaleas or hydrangeas mixed with upright evergreens to screen the exposed concrete of the parking entrance.
 - Plantings in the space below the balconies along Broom Street, including hostas or ferns.
 - The relocation of the cedar fence to the property line.
4. Irrigation is strongly recommended on the green roof tray system.
5. Update the Lighting Plan to include an alternate lighting sconce to comply with the dark sky ordinance and eliminate uplighting.
6. The Commission has no concerns about placement of the building as it relates to Broom Street. The proposed setback is acceptable if the landscape as shown on the Landscape Plan is maintained.

Zoning (Jenny Kirchgatter, 266-4429)

7. The residences located at 401 and 403 W Doty St are part of the Amended Planned Development. Submit information regarding the residences including floor plans and elevations or photos of the buildings exteriors in order to document the existing conditions.
 8. A Planned Development shall comply with all standards, procedures, and regulations of the Zoning ordinance that are applicable to the individual uses within the development, including the General Regulations of Subchapter 28I and the Supplemental Regulations of Subchapter 28J. Where the applicant proposes a development that does not comply with one or more of the regulations in those subchapters, they shall specifically request that the Plan Commission consider the application of those regulations in making its recommendations on the development, including specific language in the zoning text or depiction on the plans. The applicant proposes a development that does not comply with the bicycle parking requirements of Sections 28.141(4)(g) and 28.141(11). Specifically, the applicant proposes that more than 25% of bicycle parking will be structured parking.
9. Section 28.185(9) requires that every applicant for a demolition or removal approval that requires approval by the Plan Commission is required to get a Reuse and Recycling Plan approved by the City Recycling Coordinator, Bryan Johnson at [s](#) prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
 10. Work with Zoning and Planning staff for final approval of the Zoning text.
 11. Provide electric vehicle stalls per Section 28.141(8)(e) Electric Vehicle Charging Station Requirements. A minimum of 10% of the residential parking stalls (3 stalls) must be electric vehicle ready, and a minimum of 2% of the stalls (1 stalls) must be electric vehicle installed. Identify the locations of the electric vehicle ready and installed stalls on the plans.
 12. Bicycle parking for the residential dwelling units shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11) and shall be designated as short-term or long-term bicycle parking. A minimum of 54 resident bicycle stalls are required plus a minimum of 5 short-term guest stalls. Up to twenty-five percent (25%) of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking. Show the dimensions of the bicycle stalls and the access aisles for the underground stacked bicycle stalls. The access aisles must not be obstructed by vehicles, columns or other structures. NOTE: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Submit a detail showing the models of bike racks to be installed, including the ground mounted and stacked bike racks.
 13. On the landscape plan, label and number the proposed trees and plantings with the planting code in addition to the identification symbol. 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.

14. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first sixty (60) feet from grade are comprised of less than fifty percent (50%) glass, at least eighty-five percent (85%) of the glass on glass areas fifty (50) square feet or over must be treated. Of all glass areas over fifty (50) square feet, any glass within fifteen (15) feet of a building corner must be treated. All glass railings must be treated. Identify which glass areas are 50 sq. ft. or greater and which glass areas will be treated. Provide a detail of the specific bird-safe treatment product that will be used.
15. Exterior lighting shall be provided in accordance with City of Madison General Ordinances Section 10.085. Provide an exterior lighting photometric plan and fixture cut sheets with the final plan submittal.
16. 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.
17. 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. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Engineering Division (Tim Troester, 267-1995)

18. The new addition shall not have a FFE that is any lower than that of the existing building.
 19. The City plans to reconstruct Broom Street in 2023. All work to be completed in 2023 will need to be coordinated with City project. Depending on when the development is planned, it is possible that the lateral work could be included and assessed with the City project. City Project 11986, Sewer Engineer Kyle Frank, kfrank@cityofmadison.com, 266-4098, Jim Wolfe, jwolfe@cityofmadison.com, 266-4099
20. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
 21. Construct sidewalk, terrace curb & gutter and pavement to a plan as approved by City Engineer
 22. 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. (MGO 16.23(9)(d)(4))
 23. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))

24. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
25. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
26. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
27. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
28. Revise the site plan 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)
29. The proposed development proposes to construct underground parking. The proposed entrance to the underground parking is adjacent to a street low point. The applicant shall provide at a minimum of one (1) foot of rise from the adjacent back of walk in the driveway before breaking grade to the down ramp to the underground parking to protect the underground parking from inundation.
30. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 100-yr design storm that is current in Madison General Ordinance Chapter 37. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin P.E. or licensed Plumber that show this requirement has been met.
31. This project will disturb 4,000 sf or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. The permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>

32. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

The Storm Water Management Plan & Report shall include compliance with the following:

Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. 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 to City Engineering. (POLICY and MGO 37.09(2))

Rate Control: Detain the 10 -year storm event such that the peak discharge is reduced by 15% compared to existing conditions.

Volume Control: Provide onsite volumetric control limiting the post construction volumetric discharge to 95% of the predevelopment discharge volume as calculated using the 10-year storm event.

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.

33. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

Traffic Engineering Division (Sean Malloy, 266-5987)

34. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along South Broom Street.

35. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale 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.
36. 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.

37. 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.
38. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
39. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
40. 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.
41. 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.
42. The applicant shall provide a clearly defined 5' walkway from the front door to the public Right of Way clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
43. All parking ramps as they 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.
44. 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 three stories prior to sign-off to be reviewed and approved by DeAndre Newson, (266-4768, dnewson2@cityofmadison.com) Traffic Engineering Shop, 4151 Nakoosa Trail. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
45. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign 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.
46. 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.
47. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
48. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.

49. The applicant shall enter into a signed developer's agreement through City of Madison Engineering prior to sign off.
50. Note: This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, protected walkways will be constructed and maintained as soon as possible and little to no access to the Public Right-of-Way on West Wilson Street and South Broom Street will be granted for construction purposes. Provide a detailed construction plan to Traffic Engineering for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff.
51. Note: The applicant has submitted the requested Transportation Demand Management Plan (TDMP); the report has been reviewed and accepted by Traffic Engineering.

Water Utility (Jeff Belshaw, 261-9835)

52. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along South Broom Street.

Engineering Division – Mapping Section (Julius Smith, 264-9276)

53. The Provide scale map exhibit and legal description for a public sidewalk easement. The location and size of the easement shall be approved by City Engineering and Traffic Engineering.

The exhibits shall be provided to Julius Smith with Engineering Mapping (Jsmith4@cityofmadison.com) and a Real Estate project will be started to facilitate creating the Easement

54. Correct all sheets to show the full official street names of W Wilson St & S Broom St. 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.
55. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. Also, include a unit matrix for apartment buildings.

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 Verification submittal stage of this LNDUSE with Zoning. The final approved stamped Addressing Plan shall be included in said application.

Per 34.505 MGO, a full copy of the approved addressing plan shall be kept at the building site at all times during construction until final inspection by the Madison Fire Department.

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

Fire Department (William Sullivan, 886-4691)

56. Exit stairs shall discharge to the exterior. The stair in the center of the building needs to be revised.
57. The fire department connection location will be approved as part of the fire sprinkler plan submittal; however, the proposed location will not be acceptable. The FDC location shall be oriented to the street the building is addressed off of.

Parks Division (Ann Freiwald, 243-2848)

58. 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 Central Park-Infrastructure Impact Fee district. Please reference ID# 22022 when contacting Parks about this project.

Forestry Division (Bradley Hofmann, 267-4908)

59. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apperatus and street tree plan sets. The inventory shall include the following: location, size (diamater at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.
60. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the street tree plan set.
61. City Forestry will issue a street tree removal permit for 5" diameter Ginkgo tree due to utility installation along W Wilson St. The Contractor shall contact City Forestry at (608)266-4816 to obtain permit. Add as a note on both the demolition and street tree plan set.
62. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan and street tree planting plan shall be submitted in PDF format to City Forestry for approval of planting locations within the right of way and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note on both the landscape and street tree plan sets: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.

The following agencies reviewed the request and recommended no conditions of approval: Metro Transit