



PREPARED FOR THE PLAN COMMISSION

Project Address: 1901 Aberg Avenue
Application Type: Zoning Map Amendment
Legistar File ID # [64797](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicant & Property Owner: Occupy Madison, Inc.; 304 N Third Street; Madison; Brenda Konkel, representative.

Requested Actions: Approval of a request to rezone 1901 Aberg Avenue from IL (industrial–Limited District) to PD (Planned Development District) and approval of a General Development Plan and Specific Implementation Plan to convert a restaurant-tavern into a common building for a portable shelter community with 22 portable shelter units.

Proposal Summary: Occupy Madison is seeking permanent zoning approvals to continue its conversion of the former “Wiggie’s” bar into a permanent portable shelter community for up to 22 “tiny house” residential portable shelter units. The conversion of the restaurant-tavern into a portable shelter community was initially established by Common Council resolution granting temporary emergency authorization to provide housing for persons experiencing homelessness during the winter of 2019-2020 and Covid-19 pandemic in up to 30 temporary “Conestoga” trailers located around the property. The former restaurant-tavern building has been converted to contain a resident laundry room, two shower rooms, and a common kitchen for resident use. The emergency order expires on June 1, 2021.

The purpose of the proposed PD district is to confer permanent zoning for the community prior to the expiration of the emergency order on June 1 and to allow the approximately 60 square-foot temporary shelter units to ultimately transition to 22 99 square-foot permanent shelter units and a portable shelter community similar to the Occupy Madison portable shelter community located at 304 N Third Street. The proposed PD zoning also requests approval for related general retail/restaurant, service, and gardens/greenhouse with farm stand uses to generate revenue for the community.

Operation of the portable shelter community is ongoing. The letter of intent outlines a schedule for the conversion of the temporary community into the proposed permanent one, with site improvements completed this summer after regulatory approvals have been granted, with the greenhouse, shed, and 22 larger permanent portable shelter units to be completed beginning this summer 2021 through fall 2023.

Applicable Regulations & Standards: Section 28.182 of the Zoning Code provides the process for zoning map amendments. The approval process and standards for the Planned Development district is outlined in Section 28.098 of the Zoning Code.

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

Summary Recommendation: The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00497 and 28.022–00498, rezoning 1901 Aberg Avenue from IL to PD and approving General Development Plan and Specific Implementation Plan, to the Common Council with a recommendation of

approval subject to the recommendation of the Urban Design Commission, input at the public hearing, and the conditions beginning on page 6 of this report.

Background Information

Parcel Location: An approximately 27,660 square-foot (0.64-acre) parcel located at the southeastern corner of Aberg Avenue and Huxley Street, Aldermanic District 12 (Abbas); Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site is developed with a one-story, 3,723 square-foot former restaurant-tavern and surface parking, zoned IL (industrial–Limited District).

Surrounding Land Uses and Zoning:

North: Single-family residences across Aberg Avenue, zoned TR-C4 (Traditional Residential–Consistent 4 District);

South: Metro Transit North Transfer Point, undeveloped land, zoned IL (Industrial–Limited District);

West: Future mixed-use and multi-family redevelopments across Huxley Street, zoned CC-T (Commercial Corridor–Transitional District);

East: Aberg Warehouses (personal indoor storage facility); Canadian Pacific (Soo Line) Railroad, zoned IL; OM Station properties, zoned IG (Industrial–General District).

Adopted Land Use Plans:

The 2018 [Comprehensive Plan](#) recommends the subject site and most of the nearby properties along Huxley Street south of Aberg Avenue for Industrial uses consistent with historic zoning and land uses. The Aberg frontage, Dane County Job Center, and Northgate Plaza are recommended for Community Mixed-Use (CMU).

The subject parcel and nearby properties on the south side of Aberg Avenue between N Sherman Avenue and Packers Avenue are located with the boundaries of the 2020 [Oscar Mayer Special Area Plan](#), which recommends the subject site and properties on the south side of Aberg between Ruskin Avenue and the railroad corridor for Medium Residential development, with High Residential recommended for parcels on the east side of Huxley Street south of the North Transfer Point. The OM Station development east of the railroad is recommended for Employment in the special area plan.

Like most more-detailed sub-area plans, the [Oscar Mayer Special Area Plan](#) supplements the [Comprehensive Plan](#) with more detailed planning recommendations for the specific geographic area and provides an additional layer of analysis and evaluation needed to establish more precise land use and design recommendations that effectively implement the overall goals and objectives of the [Comprehensive Plan](#).

Zoning Summary: The property will be zoned PD(GDP-SIP).

Other Critical Zoning Items	
Yes:	Urban Design (PD zoning), Utility Easements, Barrier Free
No:	Floodplain, Wellhead Protection, Waterfront Development, Landmark, Adjacent to Park
<i>Prepared by: Jenny Kirchgatter, Asst. Zoning Administrator</i>	

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

Public Utilities and Services: The subject property is served by a full range of public utilities and is adjacent to Metro Transit's North Transfer Point.

Previous Approval

On October 20, 2020, the Common Council adopted Resolution 20-00712 (ID [62645](#)) under suspension of rules to allow for the temporary establishment and regulation of a tiny house village at 1901 Aberg Avenue to provide additional shelter to Madison residents experiencing homelessness during the Covid-19 pandemic and winter of 2019-2020. The emergency order allowed for up to 30 heated, camping style "Conestoga" trailers and use of the former restaurant-tavern for resident amenities. The resolution outlined the conditions under which the temporary portable shelter community could operate until expiration of the emergency order on June 1, 2021.

Project Description

The applicant and property owner, Occupy Madison, is requesting approval to rezone the former "Wiggie's" restaurant-tavern at the southeastern corner of Aberg Avenue and Huxley Street from IL to PD and approval of a General Development Plan and Specific Implementation Plan to allow conversion of the 0.64-acre property into a portable shelter community for up to 22 "tiny house" portable shelter units. The conversion of the restaurant-tavern into a portable shelter community began in October 2020 under a Common Council resolution granting temporary emergency authorization to provide up to 30 temporary "Conestoga" trailers around the property housing for persons experiencing homelessness during the winter of 2019-2020 and the Covid-19 pandemic. As part of the temporary authorization, the former 3,723 square-foot restaurant-tavern building at the center of the property has been converted into a resident laundry room, two shower rooms, and a common kitchen for resident use. A floorplan of the common building is attached to the application materials for this project.

The purpose of the proposed PD zoning district is to confer permanent zoning for the portable shelter community prior to the expiration of the emergency order on June 1, 2021 and to allow the approximately 60 square-foot temporary shelter units to ultimately transition to 22 permanent shelter units. The proposed tiny houses will be 99 square feet in area and will be placed 10 feet apart around three sides of the common building, as shown on the proposed site plans included in the application materials. Each temporary and permanent unit will be provided with electricity via conduits run along the perimeter fence for heat, lighting, and convenience outlets. A 20-foot wide lane will provide access to the 22 portable shelter units, which will be located beyond security gates adjacent to the northwestern and northeastern corners of the common building. The portion of the site housing the shelter units is surrounded by a recently installed six-foot tall wood privacy fence. The area located between the common building and Aberg Avenue will be improved with seven automobile parking stalls and a trash enclosure. The site plans also show a coffee/food cart adjacent to the Aberg-Huxley corner, which the portable community plans to operate as a revenue source. Additionally, a greenhouse/chicken coop is proposed in the southeastern corner of the community.

Operation of the portable shelter community is ongoing. The application materials detail the proposed transition from the existing temporary 60 square-foot portable shelter units to the larger permanent portable shelter units beginning this summer through fall 2023. The letter of intent does not indicate that the portable shelter units will be manufactured on the subject site. In addition to the 22 permanent units and food cart, the letter of intent includes a number of other permitted or accessory uses that may be conducted on the subject site, either inside or outside the building in support of the portable shelter community.

The applicants propose hours of operation for all activities other than the portable shelter community/living space and food cart/restaurant in the letter of intent from 8:00 AM to 10:00 PM Sunday through Thursday and 8:00 AM to 12:00 PM Friday and Saturday. The food cart and restaurant hours are listed as 5:00 AM to 2:00 PM.

Analysis

Occupy Madison is seeking Planned Development (PD) zoning for a portable shelter community on the subject site similar to the community they operate at 304 N Third Street, which is also zoned PD. The proposed land uses within the PD zoning district requested for the subject site include uses related to the Occupy Madison organization, the 22 permanent portable shelter units, and a series of non-residential uses that the organization has represented will be revenue-generating opportunities for the portable shelter community, including the food cart shown in the northwestern corner of the site on the proposed plans. However, unlike the N Third Street site, the manufacture of the portable shelter units is not proposed on the subject site.

Many of the proposed uses listed in the letter of intent are not allowed in the existing IL zoning of the property. Like the Occupy Madison community located on N Third Street, Planning and Zoning determined that the PD zoning district would provide both the greatest degree of flexibility for all of the uses proposed, as well as a higher degree of oversight for the second portable shelter community to be established in the City.

In order to approve the zoning map amendment, the Common Council shall find that the zoning map amendment is *consistent with* the City's Comprehensive Plan as required by Section 66.1001(3) of Wisconsin Statutes. "Consistent with" is defined as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan." Per Section 28.182(6) of the Zoning Code, zoning 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."

Likewise, Section 28.098 of the Zoning Code states that the Planned Development (PD) district was established to provide a voluntary regulatory framework 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. Among the other relevant goals and objectives of the PD district are the promotion of integrated land uses allowing for a mixture of residential, commercial, and public facilities along corridors and in transitional areas with enhanced pedestrian, bicycle and transit connections and amenities, and the facilitation of high-quality development that is consistent with the goals, objectives, policies, and recommendations of the Comprehensive Plan and adopted neighborhood, corridor or special area plans.

In this case, the Planning Division believes that the standards for approval for the Planned Development zoning district can be met to rezone the subject site from IL to PD to continue the transformation of the former restaurant-tavern into a permanent portable shelter community and to provide zoning continuity for the development following expiration of the current emergency authorization on June 1, 2021.

The proposed PD zoning of the property for the portable shelter community is generally consistent with the Medium Residential (MR) land uses recommended for the site in the 2020 Oscar Mayer Special Area Plan. The MR category in the special area plan includes larger multi-family buildings interspersed with smaller housing types and is envisioned as the more intense end of "missing middle" housing. The special area plan recommends the subject site and most of the nearby properties located south of Aberg Avenue between the Canadian Pacific/Soo Line Railroad and Northgate Shopping Center for Medium Residential or High Residential uses, with most of

Northgate center recommended to transition into a dense Community Mixed-Use center. To the east, most of the former Oscar Mayer properties east of the railroad are recommended for Employment, with much of the area in between (including the subject site) planned to transition from a variety of existing commercial and light industrial uses and undeveloped parcels into a denser residential area that will support the mixed-use and employment areas that bookend this part of the planning area. The transition of this area toward greater residential uses has already commenced, with two mixed-use and multi-family developments approved across Huxley Street from the subject site, including one that is currently under construction at 1212-1222 Huxley. While a less conventional form of Medium Residential development, staff feels that the portable shelter community represents a continuation of the residential land use pattern envisioned for the site by the Oscar Mayer Special Area Plan. Staff does not believe that the non-residential elements of the proposed zoning district, while loosely defined in the application materials, are inconsistent with the special area plan because they appear to be secondary in nature to the primary use of the property as a portable shelter community.

To ensure that the project adheres to the standards for approval, staff recommends that approval of the proposed PD zoning district be conditioned on a series of requirements that reflect the unique characteristics of the portable shelter community, which include conditions similar to those imposed on the first Occupy Madison portable shelter community at 304 N Third Street, as well as many of the stipulations that were included in resolution granting emergency authorization for the temporary facility on the subject site. The conditions and stipulations in the “Recommendation” section of this report include the submittal of a management plan for approval by the Planning Division and Zoning Administrator, which includes detailed resident/steward selection procedures, conflict resolution procedures for on-site residents/stewards (including the potential loss of a home unit (eviction)), emergency contact information, and the guest policy.

Section 28.098 of the Zoning Code allows for permitted or conditional uses to be established upon the approval of a PD district by the Common Council. The applicants are requesting a series of uses for the proposed PD district that are listed in the letter of intent, which staff would categorize as either directly serving the residents of the portable shelter community, or that are intended to generate revenue for the community. Staff proposes that those be broken down into permitted uses, conditional uses, and uses that accessory to the permitted or conditional uses as outlined in the Recommendation section. In particular, the portable shelter community will become a conditional use in this PD district if it is approved. Some of the other uses listed in the letter of intent have also been proposed as conditional uses, either because they are conditional uses in other conventional zoning districts around the City, or because staff does not feel that sufficient information has been provided at this time to allow them to be allowed outright. Some of those conditional uses may be appropriate uses at the site once more information on their operation and potential impact is known. Other uses listed in the letter of intent are not included in the staff-recommended list of uses due to their incongruity with the proposed development, lack of shape or details, and/or the potential for those uses to negatively impact surrounding properties.

Conclusion

In closing, portable shelter units – also known as “tiny houses” – have proven so far to be a successful approach to providing housing alternatives in Madison, including for persons experiencing homelessness. However, because portable shelter communities are still a relatively new concept in our community and unique compared to every other form of traditional medium-density housing in Madison, Planning staff feels that a cautious approach to regulating them is warranted.

In general, City staff feels that the portable shelter community approved at 304 N Third Street in 2014 has functioned well despite the controversy that development caused during its review, which included a verified zoning protest petition filed by the owners of properties located across from that site to force a three-fourths vote of the Common Council to approve that PD zoning. As the only other portable shelter community in Madison, staff feels that it provides a useful roadmap for how the proposed community at 1901 Aberg Avenue should be conditioned.

The proposed portable shelter community on the subject site is approximately twice the size of the Third Street community but follows the same general program of portable shelter units in an enclosed compound surrounding a common building with restrooms, showers, and resident facilities, which also includes public-facing retail and service components. Like the existing facility, the applicants are requesting a series of other uses of the site to support the portable shelter community mission, which staff proposes be categorized as permitted uses, conditional uses, or accessory uses; and like the other facility, the hours of operation for the non-residential uses of the subject site should also be limited, as noted in the recommended conditions.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00497 and 28.022–00498, rezoning 1901 Aberg Avenue from IL to PD and approving General Development Plan and Specific Implementation Plan, to the Common Council with a recommendation of **approval** subject to the recommendation of the Urban Design Commission, input at the public hearing, and the following conditions from reviewing agencies:

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

1. The development plans shall be revised for final Planning Division approval prior to final approval and recording of the Planned Development zoning:
 - 1a. Any outdoor location for the storage of liquid propane gas containers shall be noted on the final site plan, with details of any such storage facility to be approved by the Fire Department;
 - 1b. Each designated tiny house site shall be clearly marked and numbered on a sign at each site, and on a map available to all occupants of the residential cooperative village;
 - 1c. Provide a layout and screening details for the waste enclosure. All garbage and refuse shall be stored in covered containers which are durable, easily cleanable, and insect-, rodent- and water-resistant. Outside storage of all bags or baled units containing garbage or refuse is prohibited; this restriction shall be noted on the approved final plans;
 - 1d. The tiny homes shall not be located in an area that is subject to the accumulation of surface water;
 - 1e. That the location of the food cart be dimensioned from the corner radius at the Aberg-Huxley intersection; queueing of patrons in the public right of way shall be avoided;
 - 1f. The plans shall be updated to include references to 1901 Aberg Avenue, with references to the OM1 site on N Third Street removed;

- 1g. That a phasing plan be provided that demonstrates how the portable shelter community will transition from the 28 temporary portable shelter units to the 22 permanent units.
2. The zoning text shall be revised for final approval by the Planning Division and the Zoning Administrator prior to recording and the issuance of building permits as follows:
 - 2a. Provide a Signage section, which states that signage shall be approved by the Urban Design Commission or its secretary, and the Zoning Administrator;
 - 2b. In lieu of a family definition, a section shall be included that notes that the maximum occupancy of any tiny home unit located on the site shall not exceed two (2) persons, and that visitors to the residential cooperative village/living space shall not be permitted to camp on-site or stay overnight in the portable shelter units (unless as a guest of a resident) or common building;
 - 2c. Include a "Special Requirements" section in the zoning text that includes the following requirements:
 - No tents, canopies or tarps shall be permitted on the site.
 - 2d. The use list for the Planned Development district shall be as follows:

Permitted Uses:

 - General office, professional offices
 - Community garden/market garden/ farm stand
 - Greenhouse/ nursery/ garden center
 - Service business
 - Counseling, community services organization
 - Health clinic

Conditional Uses:

 - Portable shelter community for 22 portable shelter units as shown on the approved site plans
 - Market garden
 - Mission house
 - Daytime shelter
 - Restaurant/ catering
 - Outdoor eating area, outdoor cooking operation, outdoor vending machine
 - Food cart/ freestanding vending
 - Coffee shop/tea house or food and related goods sales
 - General retail

Accessory Uses:

 - Agriculture/ animal husbandry (fish farming)
 - Artisan workshop
 - Bicycle sharing facility
 - Short-term parking for a mobile grocery store
 - Solar and/or wind energy systems
 - Composting
 - Outdoor storage and personal storage lockers when located entirely within a fenced enclosure and not visible from an abutting street
 - Outdoor display or sales

- Keeping of chickens and/or honeybees pursuant to the Supplemental Regulations in Section 28.151 of the Zoning Code

3. That the continuing jurisdiction provisions for conditional uses in Section 28.183(9)(d) be incorporated into the final zoning text.
4. That the hours of operation for all activities on the site other than the portable shelter community (including non-resident use of the common building) shall be 8:00 AM to 10:00 PM seven days a week unless approved as an alteration by the Plan Commission or by the Director of the Planning Division following a recommendation by the district alder, except that the operation of the proposed food cart may begin as early as 6:00 AM Monday through Saturday.
5. That a management plan be submitted for approval by the Planning Division and Zoning Administrator that includes the steward selection procedures, conflict resolution procedures for on-site residents/stewards (including potential loss of a unit (eviction)), emergency contact information, and the guest policy.
6. That emergency contact information for the property and/ or contact information for the operator be posted in a conspicuous location along Aberg Avenue or Huxley Street. The content and location of the sign shall be approved by the Planning Division prior to recording and the issuance of building permits.
7. Consistent with the requirements established by the emergency authorizing resolution for the temporary portable shelter community (Resolution 20-00712), the permanent shelter community shall adhere to the following conditions and stipulations, which shall be included in the final zoning text approved by staff and shown on the final site plans when necessary:
 - 7a. No composting toilets or pother holding tank toilets shall be permitted in the portable shelter community.
 - 7b. A 20-foot wide fire lane shall be provided in accordance with the Fire Code as approved by the Madison Fire Department.
 - 7c. Fire extinguishers shall be provided within the compound as approved by the Madison Fire Department.
 - 7d. Each portable shelter unit shall contain a working smoke alarm. If the sleeping units are heated with any non-electric heat source (propane, etc.), Carbon Monoxide (CO) detectors shall be provided in each sleeping unit. If the sleeping units are heated with electric heat, no CO detectors are required.
 - 7e. The Madison Fire Department shall be provided with an approved key vault for the perimeter fence to allow 24-hour/7-day access.
 - 7f. Any fire ring must be located fifteen (15) feet from all combustibles, buildings, and property lines, and must be covered with a spark arrestor.
 - 7g. The operator shall provide and regularly empty dumpsters for solid waste disposal, trash and recycling.
 - 7h. City water shall be provided from inside the existing principal structure on the property in compliance with building codes.
 - 7i. The common building shall provide at least three (3) women's toilets (3 stools) and three (3) men's toilets (2 stools and 1 urinal). There shall be no on-site compostable or camping toilets. The common building shall include functioning handwashing sinks. At least one (1) shower shall be provided for every ten (10) occupants of the portable shelter community.

- 7j. Ten (10) feet shall be maintained between the portable shelter units.
- 7k. An emergency telephone accessible at all times for all occupants of the portable shelter community shall be provided.
- 7l. There shall be an appropriate registration process for on-site occupants and their guests.
- 7m. No alcohol or drugs shall be consumed or possessed on the premises of 1901 Aberg Avenue.

Urban Design Commission

The Urban Design Commission recommended **final approval** of the project on April 14, 2021 with no conditions.

The following conditions have been submitted by reviewing agencies:

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

- 8. The applicant shall confirm the location of the sewer lateral for this building and include the location on the plans as a condition of site plan approval. City records do not show the location of the sewer lateral.
- 9. Obtain a Street Terrace Permit for the proposed work in the right of way (installation of the driveway apron, landscaping, etc.).
- 10. Close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
- 11. This site appears to disturb less than one (1) acre of land. No submittal to the Wisconsin Department of Natural Resources (WDNR), Capital Area Regional Planning Commission (CARPC) or Wisconsin Department of Safety and Professional Services (DSPS) is required, as the City of Madison Building Inspection Division is an approved agent for DSPS.
- 12. If this project disturbs 4,000 square feet 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.
- 13. 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.
- 14. 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 Madison General Ordinances.
- 15. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the City Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
- 16. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the City Engineering Division. E-mail PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

City Engineering Division–Mapping Section (Contact Jeff Quamme, 266-4097)

This agency reviewed this request and has recommended no conditions of approval.

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

17. 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.
18. 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.
19. 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.
20. All parking facility design shall conform to the standards in MGO Section 10.08(6). Some of the stalls on the site do not appear to meet ordinance, alteration or elimination of stalls may be needed to meet ordinance. Applicant shall work with Traffic Engineering to find a solution.
21. All bicycle parking adjacent pedestrian walkways shall have a two (2)-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
22. 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.
23. The applicant shall adhere to all vision triangle requirements as set in MGO Section 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 Section 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.
24. The applicant shall provide a clearly defined five-foot 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.

25. "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.
26. 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.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

27. Work with Zoning and Planning staff on final approval of the Zoning text prior to recording of the PD(GDP-SIP).
28. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e). Final plans shall show the required van accessible stall. A van accessible stall is a minimum of 8 feet wide with an 8 foot wide striped access aisle. Show the required signage at the head of the stalls.
29. Bicycle parking for the portable shelter community shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of ten (10) short-term bicycle parking stalls located in a convenient and visible area on a paved or pervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within 100 feet of a principal entrance. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5)-foot wide access area. Provide a detail of the proposed bike rack.
30. Pursuant to Sec. 28.142(3), Landscape Plan and Design Standards: Landscape plans for zoning lots greater than 10,000 square feet in size must be prepared by a registered landscape architect.
31. Exterior lighting provided shall be in accordance with MGO Section 10.085. Provide an exterior lighting plan and fixture cut sheets with the final plan submittal.
32. 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.
33. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31 Sign Codes and MGO Section 33.24 Urban Design Commission ordinance. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Police Department (Contact Cap. Brian Austin, North District, 243-5258)

This agency has not provided conditions for this request.

Fire Department (Contact Bill Sullivan, 261-9658)

34. Provide gates on the fire lane with an opening width as shown on Sheets S2-S4 18-20 feet clear.
35. The maximum capacity of the existing building for assembly purposes shall be limited in accordance with the International Building Code unless fire sprinkler protection is provided.

Water Utility (Contact Jeff Belshaw, 261-9835)

This agency reviewed this request and has recommended no conditions of approval.

Parks Division (Contact Kathleen Kane, 261-9671)

This agency reviewed this request and has recommended no conditions of approval.

Forestry Section (Contact Jeff Heinecke, 266-4890)

This agency reviewed this request and has recommended no conditions of approval.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency reviewed this request and has recommended no conditions of approval.