



Project Address: 3040-3046 Commercial Avenue and 701 McCormick Avenue (12th Aldermanic District – Ald. Abbas)

Application Type: Rezoning, Demolition Permit, and Conditional Use

Legistar File ID # [59689](#) and [60089](#)

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

Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant/Contact: Paul Cuta; CaS4 Architecture, LLC; 4414 Regent Street #102; Madison, WI 53705

Property Owner: Augusta Realty, Inc.; 1609 Monroe Street; Madison, WI 53711

Requested Action: Approval of a zoning map amendment changing the zoning of parcels at 3040-3046 Commercial Avenue and 701 McCormick Avenue from SR-V1 (Neighborhood Mixed Use district) to SR-V2 (Traditional Residential – Urban District 2), a demolition permit to raze an existing single-family residence, and conditional uses for a multi-family dwelling with more than 8 dwelling units [MGO 28.032(1)], a residential building complex [MGO 28.032(1)], and a total area of accessory buildings measured at ground floor that exceed 10% of lot area or 1,000 sq. ft. [MGO 28.131(1)(a)] to build a four-unit apartment building, three (3) eight-unit apartment buildings, a community building, and two detached garages.

Proposal Summary: The applicant is seeking approval to demolish a single-family residence and construct a four-unit apartment building, three eight-unit apartment buildings, and an amenity building.

Applicable Regulations & Standards: This proposal is subject to the standards for Zoning Map Amendments [§28.182(5) M.G.O.], Demolition Permits [§28.185(7) M.G.O.], and Conditional Uses [§28.183(6) M.G.O.]. Section 28.185 M.G.O. provides the process for demolition and removal permits. Section 28.183 M.G.O. provides the process and standards for the approval of conditional uses.

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

Summary Recommendations: The Planning Division recommends that the Plan Commission forward ordinance 28.022-00438 to rezone the property at 3040-3046 Commercial Avenue and 701 McCormick Avenue from SR-V1 to SR-V2 to the Common Council with a recommendation to **approve**. Further, the Planning Division recommends that the Plan Commission find that the standards for demolition permits and conditional uses are met and **approve** the request to demolish an existing single-family residence, and conditional uses for a residential building complex to build a four-unit apartment building and three eight-unit apartment buildings. These recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies in this report.

Background Information

Parcel Location: The subject site a total of 3.84 acres and located at the northeast quadrant of the intersection of Commercial Avenue and McCormick Avenue, immediately west of the East Washington-Aberg Avenue interchange. It is within Aldermanic District 12 (Ald. Abbas) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The site includes five residential buildings and two garages on three current parcels. The entire site is zoned SR-V1 (Suburban Residential - Varied 1 District). 709 McCormick Avenue includes two (2) 16-unit apartment buildings built in 1975 and a two-story single-family house built in 1896. 3040 Commercial Avenue is developed with a one-and-one-half-story single-family house built in 1925 and a two-stall detached garage. 3046 Commercial Avenue is developed with a two-story single-family house built in 1932 and a three-stall detached garage.

3030 and 3034 Commercial Avenue, at the corner of McCormick Avenue and Commercial Avenue are both 8-unit apartments zoned SR-V1. Though under common ownership with the proposal site, these parcels and are not included in this proposal.

Surrounding Land Uses and Zoning:

North: Across Aberg Avenue, an 82-unit apartment complex zoned SR-V2 (Suburban Residential - Varied 2 District);

West: McCormick Park and Stormwater Utility Lands that contain a branch of Starkweather Creek, all zoned CN (Conservancy District);

South: Across Commercial Avenue, single-family residences and small multi-family buildings zoned SR-V1 (Suburban Residential - Varied 1 District) and PD (Planned Development District); and

East: The East Washington Avenue-WI Hwy 30 interchange.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Low Residential uses for this site. The [Emerson East-Eken Park-Yahara Neighborhood Plan](#) (2015) does not place the site within a land use and housing focus area and includes no specific recommendations for the site.

Zoning Summary: The subject property is proposed to be zoned SR-V2 (Suburban Residential – Varied 2 District):

Requirements	Required	Proposed
Lot Area (sq. ft.)	Single-family detached dwelling: 12,000 sq. ft. Multi-family dwelling: 120,000 sq. ft. (132,000 sq. ft. total)	160,672 sq. ft.
Lot Width	60'	Greater than 60'
Front Yard Setback	25'	41.34'
Side Yard Setback	10'	18.98' southeast side (1) 10.58' west side 28.27' south side
Rear Yard Setback	Lesser of 25% lot depth or 30'	Adequate
Usable Open Space	Single-family detached dwelling: 1,000 sq. ft. Multi-family dwelling: 30,000 sq. ft. (31,000 sq. ft. total)	Adequate (8)
Maximum Lot Coverage	60%	Less than 60% (7)
Maximum Building Height	Single-family detached dwelling: 2 stories/ 35' Multi-family dwelling 4-8 units: 3 stories/ 40' Multi-family dwelling > 8 units: 4 stories/ 52'	2 existing single-family detached buildings 4 proposed multi-family buildings 4-8 units: 2 stories/ less than 40' 2 existing multi-family buildings > 8 units
Site Design	Required	Proposed

Number Parking Stalls	Single-family detached dwelling: 1 location only (2) Multi-family dwelling: 1 per dwelling (60) (62 total)	69 surface stalls 4 garage stalls (73 total)
Accessible Stalls	Yes	Yes
Loading	Not required	None
Number Bike Parking Stalls	Existing single-family detached dwelling: None Existing multi-family dwelling: Not required Proposed multi-family dwelling: 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (28) 1 guest space per 10 units (3) (31 total)	28 garage 8 surface (36 total)
Landscaping and Screening	Yes	Yes (10)(11)
Lighting	Yes	Yes
Building Forms	Yes	Small multi-family building

Other Critical Zoning Items	UDC (Residential Building Complex); Utility Easements; Barrier Free (ILHR 69)
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Table 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.

Project Description

The applicant is seeking multiple approvals including demolition of a single-family residence, three conditional uses, and the rezoning of the entire site from SR-V1 (Neighborhood Mixed Use district) to SR-V2 (Traditional Residential – Urban District 2) to construct a four-unit apartment building and three eight-unit apartment buildings

An associated certified survey map is proposed to create two new lots, the western Lot 1 being 701-715 McCormick Avenue combined with a small northerly portion of the existing lot addressed 3040 Commercial Avenue. The eastern Lot 2 will be created from the remainder of the 3040 Commercial Avenue lot and all of the lot currently addressed 3046 Commercial Avenue, encompassing much of the eastern portion of the site. The total area of the site is 160,674 square feet. That request is being reviewed administratively and is not before the Plan Commission.

The single-family residence at 701 McCormick Avenue on Lot 1 is proposed to be razed. Selective tree removal is also proposed. The applicant proposes to maintain the two existing 16-unit buildings along McCormick Avenue and replace the single-family residence proposed for demolition with a new four-unit building. Existing surface parking within proposed Lot 1 will be maintained and sidewalk is proposed to be extended eastward to connect to the proposed amenities building on Lot 2. The proposed 4-unit building features a material palette consistent with the proposed eight-unit buildings on Lot 2 (described in more detail below), but has a different, more flat-roofed shed-type overall design. Additionally, multiple accessory buildings will be removed including the detached garages at the southern end of 3046 Commercial Avenue and north of the 3040 Commercial Avenue site, as well as a shed near the garage at 3040 Commercial Avenue. Selective tree removal is also proposed.

The applicant proposes to construct three (3) two-story, eight-unit apartment buildings surrounding a central common courtyard oriented to the west, away from the adjacent major roadways. The applicant proposes to retain the two existing single-family residences on proposed Lot 2. A community building is proposed for the west edge of the site that would also serve the owner's adjacent rental properties, and include a fitness room, restroom, bicycle storage, bicycle repair station, bike wash station, and dog wash station. The entry drive from Commercial Avenue extends north through the site and provides access to the existing single-family residences at the rear of the site. Surface parking is dispersed along the drive and two-car garages are provided for both single family residences. The eight-unit buildings have a 'pinwheel' floorplan design with standing seam-clad gables on each side, as well as a metal-clad façade portion with more limited fenestration where bedrooms and bathrooms are located. Private terraces and the building entry area are accented with wood grain siding.

Proposed new units for the development include one efficiency, 23 one-bedroom units, and four (4) two-bedroom units, in addition to 32 existing units on Lot 1 and 2 existing units on Lot 2, for a total of 62 units on the whole site. Including accessible stalls, 69 parking spaces are provided on site. New landscaping includes additional trees, particularly around the perimeter of the site and shrubs and other lower plantings around the bases of the buildings.

The applicant has indicated they propose to begin demolition in summer 2020 and complete construction by late spring 2021.

The property owner also owns two adjacent eight-unit buildings at the corner of Commercial Avenue and McCormick Street at 3030 and 3034 Commercial Avenue. No changes are proposed for those parcels.

Analysis & Conclusion

This request is subject to the standards for zoning map amendments, demolition permits, conditional uses. This section begins with adopted plan recommendations, reviews zoning map amendment standards, then provides an analysis the demolition standards and conditional use standards, and finishes with the Urban Design Commission recommendation.

Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends Low Residential uses for this site, which generally includes a mix of one- and two-family residences of up to two stories and densities less than 15 dwelling units per acre. The proposed density for the site is 16.8 dwelling units per acre, slightly higher than that recommended in the [Comprehensive Plan](#). The Plan recommends slightly more intensive development in LR areas up to 30 DU/ac and three stories in certain circumstances, generally along arterial streets or where these types of buildings are already present or planned within an adopted sub-area plan as part of a pattern of mixed residential development. The [Emerson East-Eken Park-Yahara Neighborhood Plan](#) (2015) does not place the site within a land use and housing focus area and includes no specific recommendations for the site.

Zoning Map Amendment Standards

The Zoning Map Amendment standards, found in 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 site does include single-family buildings, it also proposes several small multi-family buildings, all of which are no more than two stories. As site already includes small multi-family buildings, is near other existing small multi-family buildings, and is adjacent to two major arterial roadways, staff believes that the request can be found to be generally consistent with the land use recommendations for this area in the Comprehensive Plan.

Demolition Permit Standards

In order to approve a demolition request, M.G.O §28.185(7) requires that the Plan Commission must find that the requested demolition and proposed use are compatible with the purpose of the demolition section of the zoning code and the intent and purpose of the SR-V2 (Suburban Residential – Varied 2) Zoning District. Per MGO §28.038(1), the Suburban Residential – Varied Districts are established to stabilize and protect the essential characteristics of residential areas of varying densities and housing types, typically located in the outlying parts of the City, and to promote and encourage a suitable environment for family life while accommodating a full range of life-cycle housing. The districts are also intended to ensure that new buildings and additions to existing buildings are designed with sensitivity to their context in terms of building placement, facade width, height and proportions, garage and driveway placement, landscaping, and similar design features.

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. Furthermore, the proposed use following demolition or removal should be compatible with adopted neighborhood plans and the Comprehensive Plan. As indicated in the discussion above, Staff believes the request and its uses can be found to be generally consistent with the land use recommendations for this area in the Comprehensive Plan, as well as the Emerson East-Eken Park-Yahara Neighborhood Plan.

The demolition standards also 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 the January 13, 2020, meeting, the Landmarks Commission found the structure at 709 McCormick Avenue has historic value related to the vernacular context of Madison's built environment, or as the work/product of an architect of note, but the building itself is not historically, architecturally, or culturally significant. The Planning Division believes that the Plan Commission could find the standards for demolition met with the request to raze the existing buildings to construct a four-unit apartment building in its place.

Conditional Use 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 M.G.O. §28.183(6) are met. The applicant is requesting approval of three conditional uses: conditional use for a multi-family dwelling with more than 8 dwelling units [MGO 28.032(1)], a residential building complex [MGO 28.032(1)], and a total area of accessory buildings measured at ground floor that exceed 10% of lot area or 1,000 sq. ft. [MGO 28.131(1)(a)]. Considering the existing and surrounding uses and development pattern, the scale and uses of the proposed improvements, and the size and situation of the site, Staff believes that all conditional use approval standards can be found met or are not applicable to this proposal.

Urban Design Commission

M.G.O 28.151 requires that residential building complexes be reviewed by the Urban Design Commission (UDC) pursuant to the provisions in M.G.O. 33.24(4)(c). The UDC reviewed the exterior design and appearance of the principal buildings and landscape plan and granted final approval with a recommendation of approval to the Plan Commission at its April 29, 2020 meeting. The approval motion also provided for simplification of the planting beds for a cleaner aesthetic to support the building architecture.

Conclusion

Staff believes that the Plan Commission could find the standards for approval for zoning map amendments, demolition permits, and conditional uses to be met. A letter in support of the proposal has been provided by the Eken Park Neighborhood Association. At time of report writing, staff is unaware of any other public comment.

Recommendation

Planning Division Recommendations (Contact Colin Punt, 243-0455)

The Planning Division recommends that the Plan Commission forward ordinance 28.022-00438 to rezone the property at 3040-3046 Commercial Avenue and 701 McCormick Avenue from SR-V1 to SR-V2 to the Common Council with a recommendation to **approve**. Further, the Planning Division recommends that the Plan Commission find that the standards for demolition permits and conditional uses are met and **approve** the request to demolish an existing single-family residence, and conditional uses for a residential building complex to build a four-unit apartment building and three eight-unit apartment buildings subject to input at the public hearing and the following conditions:

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

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

1. Show the distance between the proposed 8-unit buildings and between the proposed 4-unit building and existing 16-unit building. Minimum distances between buildings shall equal the combination of the required side yards for each building (20 feet total between buildings), unless reduced by the Plan Commission as part of the conditional use approval.
2. 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 at streets@cityofmadison.com.
3. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185 (7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
4. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
5. Provide a dwelling unit summary with the plans including the existing and proposed buildings with the numbers and types of dwelling units for each building.

6. On the civil plans, clearly show the existing multi-family buildings, parking lot, accessible stalls and sidewalks at 709-715 McCormick Ave.
7. Provide a calculation and plan detail for lot coverage for Lots 1 and 2 with the final submittal. The lot coverage maximum is 60%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.
8. Provide a calculation for the amount of useable open space that will be established. Identify qualifying usable open space areas in the plan set. Usable open space shall be at ground level in a compact area of not less than two hundred (200) square feet, with no dimension less than eight (8) feet and no slope grade greater than ten percent (10%). Usable open space shall be outside of a required front or corner side yard, as extended to the rear lot line. Usable open space shall not include areas occupied by buildings, driveways, drive aisles, off-street parking, paving and sidewalks, except that paved paths no wider than five (5) feet and pervious pavement may be included as usable open space.
9. Provide the floor plans and elevations or photos for the existing multi-family buildings at 709-715 McCormick Ave and single-family residences at 3040 and 3046 Commercial Ave. Note any repairs or renovations proposed for the existing buildings.
10. On the landscape plan, identify the existing trees and landscaping to remain as well as the proposed trees and landscaping. Pursuant to Sec. 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.
11. Submit a detail of the trash enclosure. The trash enclosure shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet.
12. 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.

Urban Design Commission (Contact Janine Glaeser, 267-8740)

13. Simplify the planting beds for a cleaner aesthetic to support the building architecture, to be approved by Staff.

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

14. 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)
15. Construct sidewalk along McCormick Ave and Commercial Ave to a plan as approved by City Engineer

16. 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))
17. 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))
18. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
19. 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.
20. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
21. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line:
<http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm>.
The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or CARPC is required for this project to proceed.
22. 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)
23. The applicant shall show storm water "overflow" paths that will safely route runoff during the 100-year 24-hour design storm when the storm sewer is at capacity. (POLICY)
24. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. 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>
This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. 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.
(POLICY)

This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.

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.

25. 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 2, 10, & 100 -year storm events, matching post development rates to predevelopment rates and using the design storms identified in Madison General Ordinances Chapter 37.
Infiltration: Provide infiltration of 90% of the pre-development infiltration volume.
TSS New Development: Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.
TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.
Oil/Grease Control: Treat the first 1/2 inch of runoff over the proposed parking facility and/or drive up window.
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.
26. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
27. 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).

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

28. The existing Public Sanitary Sewer Easement per Doc No. 852775 shall be released by separate document prepared by City Office of Real Estate Services. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) to coordinate the Real Estate project, and associated

information and fees required. This release is required immediately prior to recording of the pending Certified Survey Map.

29. The 10' wide Electric Pole Line Easement per Doc No 4685011 shall be released by recorded instrument prior to final site plan sign off.
30. Applicant shall evaluate the actual need for the 20' wide Private Sanitary Sewer Easement shown on the plans and pending CSM It would only serve buildings within the same single proposed lot therefore it is unnecessary.
31. This site will be dependent on the proposed storm sewer under the adjacent properties at 3030 and 3034 Commercial Avenue. A private Storm Sewer Easement/Agreement benefitting this development shall be drafted, executed and recorded prior to building permit issuance. This easement agreement shall be reviewed and approved by Jeff Quamme (jrquamme@cityofmadison.com) and shall be recorded against all affected properties at the Dane Co Register of Deeds.
32. Proposed Lot 2 is dependent on proposed Lot 1 for overland storm water drainage. A private Storm Drainage Easement/Agreement for Lot 2 drainage over Lot 1 shall be drafted, executed and recorded immediately after the CSM recording and prior to building permit issuance.
33. The existing houses at 3040 and 3046 Commercial Ave will require address changes as a result of the three 8 units being constructed in front of them. The private drive leading to all 5 buildings shall be named. Submit street name suggestions to Lori Zenchenko (LZenchenko@cityofmadison.com) for review and approval. The approved private street name and building addresses shall be included on the final Site Plan Approval submittal.
34. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction.
35. Submit a Floor Plan for each separate building 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 building and 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 submittal of the final Site Plan Approval application 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 Division (Contact Sean Malloy, 266-5987)

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| 36. The parking stalls shown on the plan require a wider backup zone. Opt. 1 – Widen drive / backup isle from 20' - 24'. Opt. 2 – Widen drive / backup isle from 20' - 22' and widen the stall from 9' – 10'. |
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37. 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.
38. 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.
39. 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.
40. All parking facility design shall conform to MGO standards, as set in section 10.08(6). On the current plan, many of the parking stalls do not meet MGO standards.
41. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
42. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
43. 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.
44. The applicant shall provide a clearly defined 5' walkway 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.
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. For a parking stall to be approved under the One-Size-Fits-All standard all stalls must be a minimum of 17' long, 8.75' wide, with 23' backup.
48. 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.

49. The applicant shall install sidewalk on Commercial Avenue and McCormick Avenue according to plan approved by the City Engineer.

Fire Department (Contact Bill Sullivan, 261-9658)

50. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Paul Ripp at pripp@cityofmadison.com or (608)712-6277.

Parks Division (Contact Kathleen Kane, 261-9671)

51. 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 North Park-Infrastructure Impact Fee district. Please reference ID# 20009 when contacting Parks about this project.

Forestry Division (Contact Brad Hoffman, 267-4908)

52. An existing inventory of street trees located within the right of way shall be included on the landscape, site, demo, and utility plans. The inventory shall include the following: location, size (diameter 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.

53. 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 plan set.

54. City Forestry will issue a street tree removal permit for 4 trees: 2 Ash trees along McCormick Ave for sidewalk installation, Walnut for sidewalk installation and multi-stem Maple due to condition at along Commercial Ave. Please contact City Forestry at 266-4816 to obtain street tree removal permit. Add as a note on the plan set.

55. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry (266-4816) prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the plan set.

56. Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above

or below ground) shall be reported immediately to City Forestry at 266-4816. Penalties and remediation shall be required. Add as a note on the plan set.

57. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on the plan set.
58. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on the plan set.
59. Street tree pruning shall be coordinated with Madison Forestry at a minimum of two weeks prior to the start of construction for this project. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on the plan set.
60. 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 - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan (in PDF format) shall be submitted City Forestry for approval of planting locations and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note to plan: 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.

Metro Transit (Contact Timothy Sobota, 261-4289)

61. To facilitate City transit planning efforts, the applicant shall identify the accessible pedestrian connection between all new proposed residential unit entrance(s) and the existing public sidewalk, that is located on the southwest corner of Commercial Avenue and McCormick Avenue.
62. As identified on the plans submitted for review, the applicant shall install new sidewalk on the north side of Commercial Avenue, east of McCormick Avenue, connecting to the new residential units on Lot B. The applicant shall further install new sidewalk on the east side of McCormick Avenue, north of Commercial Avenue, connecting to the new residential units on Lot A - as needed to provide an accessible connection to the existing public sidewalk on the southwest corner of Commercial Avenue and McCormick Avenue.
63. The applicant shall include the location of these facilities on the final documents filed with their permit application, so that Metro Transit may review and effectively plan for City transit access that would be oriented to the residents and visitors of the proposed development.

64. Metro Transit operates daily all-day transit service along Commercial Avenue and Oak Street, approximately 500' west of the intersection of Commercial Avenue and McCormick Avenue, adjacent these properties.

Water Utility (Contact Jeff Belshaw, 261-9835)

65. A private well may have served this parcel prior to the municipal water service connection. 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.
66. 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/plumbers-contractors>), 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.
67. The proposed development may require the installation of a fire protection/automatic sprinkler system (see also Madison Fire Department review comments); subsequently, a higher capacity water service lateral may be required to meet required flow rates. If a new water service will be required, contact Madison Water Utility Engineering Section to evaluate service connection options, confirmation of water meter size, or any applicable customer account revisions. This note applies to the proposed building at 701 McCormick Ave. The existing service is 1 inch.