



PREPARED FOR THE PLAN COMMISSION

Project Address: 531 W Mifflin Street (District 4 – Alder Verveer)

Application Type: Demolition Permit and Conditional Use

Legistar File ID # [81079](#) and [81080](#)

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

Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Property Owner: Brandon Cook; John Fontain Realty; P.O. Box 694; Madison, WI 53701

Contact: Kevin Burow; Knothe & Bruce Architects, LLC; 8401 Greenway Boulevard, Suite 900; Middleton, WI 53562

Requested Actions: Consideration of a demolition permit to demolish a single-family residence at 531 W Mifflin Street; Consideration of a conditional use in the Downtown Residential 2 (DR2) District for a residential building complex containing a four-unit apartment building and a single-family residence; and Consideration of a conditional use to reduce the zoning rear yard setback requirements of a residential building complex at 531 W Mifflin Street.

Proposal Summary: The applicant is requesting the approvals to raze the existing single-family residence and relocate two structures to the site – a 4-story, four-unit (currently located at 438 W Dayton Street) and a 2-story, one-unit (currently located at 430 W Dayton Street). The applicant proposes to commence demolition of the existing structure and begin construction of the development in mid-2024.

Applicable Regulations & Standards: This proposal is subject to the standards for Demolitions [MGO Section 28.185(7)]. It is also subject to the standards for Conditional Uses [MGO §28.183(6)] as Table 28E-2 in MGO Section 28.072 states that in the Downtown Residential 2 (DR2) District, a conditional use is required for a residential building complex. Also, supplemental regulation (b) for residential building complexes (MGO 28.151) states that *“Setback requirements may be reduced as part of the conditional use approval, provided that equivalent open space areas are provided.”* The Supplemental Regulations [MGO §28.151] contain further applicable regulations for *Residential Building Complexes*.

Review Required By: Urban Design Commission and Plan Commission

Summary Recommendation:

- That the Plan Commission find that the standards for demolition permits are met and **approve** demolition of the single-family residence; and
- That the Plan Commission find that standards for conditional uses are met, the Planning Division recommends it **approve** requests for a residential building complex in the Downtown Residential 2 (DR2) District, and to reduce the zoning rear yard setback requirements of the residential building complex.

Approval of the project should be subject to input at the public hearing, and the recommended conditions beginning on **Page 9** of this report for the land use requests.

Background Information

Parcel Location: The development site is 5,771 square-feet (0.13 acres) in area and is located on the southeast side of W Mifflin Street, roughly halfway between and N Bedford and N Bassett Streets. It is located within Alder District 4 (Ald. Verveer) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The residence is a two-story, five-bedroom, roughly 1,290-square-foot residence, which, according to City Assessor’s Office records, was originally constructed in 1894. [Photos](#) of the exterior of the residence have been included in the applicant’s materials.

Surrounding Land Uses and Zoning:

Northwest: Across W Mifflin Street are two units, 2-stories in height, located in the Downtown Residential 2 (DR2) District;

Northeast: 2- and 3-units, 2- to 2½-stories in height, located in the DR2 District;

Southeast: A six-story, 52-unit apartment building in the Planned Development (PD) District, and two 3-story, 6-unit apartment buildings in the DR2 District; and

Southwest: 2- and 3-units, 2- to 2½-stories in height, located in the DR2 District.

Adopted Land Use Plan: The 2018 [Comprehensive Plan](#) recommends Downtown Mixed-Use (DMU) development for the subject site’s entire block. The Plan notes that this includes “*intensive mixed-use development*” which is “*generally more focused on residential, retail, and service uses than Downtown Core (DC) areas, but may also include some government and employment uses.*” The Plan defers to the [Downtown Plan](#) for building height recommendations as well as those dealing with the mix of uses, ground floor uses, pedestrian friendly design, and other considerations.

The 2012 [Downtown Plan](#) locates the subject site within the “Mifflin” neighborhood/district for which it recommends “*redevelopment with a dynamic mix of employment and residential uses at relatively high densities*” with the goal of creating an engaging mixed-use neighborhood. Specifically, it recommends 2- to 6-story building heights for new construction in the district, encourages creative solutions to vehicle access and parking, including underground and shared parking, to reduce driveway cuts and facilitate development of larger footprint buildings, and evaluating the potential to create wider terraces with larger trees.

The [Mifflandia Neighborhood Plan](#) (2019) recommends residential development for both sides of W Mifflin Street from N Bedford Street to N Broom Street. For this stretch of W Mifflin Street, it recommends buildings be setback 15 feet from W Mifflin Street ROW, and a maximum building height of four stories with an allowance for two additional stories provided they meet the required setbacks (for the subject site, that is a setback of 15 feet).

Zoning Summary: The site is zoned Downtown Residential 2 (DR-2) District

Requirements	Required	Proposed
Lot Area (sq. ft.)	3,000 sq. ft.	5,775 sq. ft.
Lot Width	Residential buildings: 30’	35’
Front Yard Setback	10’	10.52’
Side Yard Setback	5’ Lot width <40’: 10% of lot width (3.5’)	Building 1: 6.04’ east side/ 6.0’ west side Building 2: 6.5’ east side/ 5.24’ west side

Rear Yard Setback	Lesser of 20% lot depth or 20'	5.51' <i>(See Comment #17)</i>
Usable Open Space	20 sq. ft. per bedroom (460 sq. ft.)	Adequate
Maximum Lot Coverage	80%	77%
Minimum Building Height	2 stories	Building 1: 4 stories/ 44'4" Building 2: 2 stories/ 30'8"
Maximum Building Height: See Downtown Height Map	6 stories	Building 1: 4 stories/ 44'4" Building 2: 2 stories/ 30'8"
Stepbacks: See Downtown Stepback Map	None	None

Site Design	Required	Proposed
Number Parking Stalls	No minimum required: Central area	1 garage stall
Electric Vehicle Stalls	Not required	None
Accessible Stalls	Not required	None
Loading	Not required	None
Number Bike Parking Stalls	Multi-family dwelling: 1 per unit up to 2- bedrooms, ½ space per add'l bedroom (9) 1 guest space per 10 units (None) Single-family detached dwelling: None (9 total)	14 garage 2 surface (16 total) <i>(See Comment #19)</i>
Landscaping and Screening	Yes	Yes
Lighting	Yes	Yes
Building Form and Design	Yes	Relocated residential buildings <i>(See Comment #21)</i>

Other Critical Zoning Items	
Yes:	Urban Design (Residential Building Complex), Barrier Free (ILHR 69), Utility Easements
No:	Historic District; Floodplain, Wetlands, Wellhead Protection, Adjacent to Park, TOD Overlay

Tables Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

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

Public Utilities and Services: The site is served by a full range of urban services, including Metro Transit service.

Project Description

The applicant is requesting approval of a demolition permit to raze a single-family residence and two conditional uses - for a residential building complex containing a four-unit apartment building and a single-family residence; and to reduce the zoning rear yard setback requirements of a residential building complex.

The development site is 5,771 square-feet (0.13 acres) in area and is located on the southeast side of W Mifflin Street, roughly halfway between and N Bedford and N Bassett Streets.

The structure proposed for demolition is a two-story, five-bedroom, roughly 1,290-square-foot single-family residence, which, according to City Assessor's Office records, was originally constructed in 1894. [Photos](#) of the exterior of the residence have been included in the applicant's materials.

Once removed, the applicant proposes to relocate two buildings located roughly 0.2-miles to the north on the 400 block of W Dayton Street:

- A two-story, one-unit, four-bedroom, roughly 2,000-square-foot structure that City Assessor's Office records note was constructed in 2011. It is currently located at the rear of 430 W Dayton Street.
- A four-story, four-unit, 19-bedroom (one 4-bedroom and three 5-bedroom units) which City Assessor's Office records note was constructed in 2000. It is currently located at 438 W Dayton Street.

Staff note that these structures have previously been approved for demolition as part of a much larger redevelopment a few blocks away (Legistar File [76899](#)).

As noted in the applicant's materials, no exterior modifications to either building are proposed. The two buildings will be accessed via the shared driveway located along the southwest property line. This driveway will provide access to the lone automobile parking stall on the site, which will be located in the rear building's garage. Staff note that as the site is located with the Central Area, the MGO 28.141(3) states that for this area, there are no parking minimums. Bicycle parking will be provided in the form of two short-term stalls located between the two buildings and 14 long-term stalls located in the rear structure – eight located within the garage and six in the basement.

As for the impact to street trees, in order to move the two structures, a number of trees will be affected. The [Plan Commission Report of City Forester 1-13-2024](#) breaks down the impacts by type. A 17-inch diameter Norway Maple at both 526 W Mifflin Street and 534 W Mifflin Street, as well as a 1-inch diameter Kentucky Coffeetree at 527 W Mifflin Street will need to be removed due to poor tree health. City Forestry has no concerns regarding these removals and will replace them in Fall 2024. Three other street trees are also proposed to be removed – a 7-inch diameter Japanese Lilac Tree at 438 W Dayton Street (due to it being located directly in front of the house to be moved), and two trees along the route needing to be excessively pruned to allow for house clearance – a 30-inch diameter Ash at 441 W Dayton Street and a 24-inch diameter Linden at 110 N Bassett Street. In order to get public feedback regarding the removal of the two later trees, City Forestry is requiring a visit to the City's Habitat Stewardship Subcommittee on February 13, 2024 for a public hearing. Lastly, Staff note that one additional tree – a Boxelder located on private property at 521 W Mifflin Street – will also need to be removed. Staff understand that the applicant has reached out to this property owner and received consent for its removal. For more information on the proposed impact to the street trees, please see the additional files which have been uploaded to Legistar File [81079](#): [Approved Consulting Arborist Report - Building Move Application](#), [House Move Street Tree Inventory](#), and [Street Tree Report Attachments](#).

Analysis

This proposal is subject to the standards for Demolitions [MGO Section 28.185(7)]. It is also subject to the standards for Conditional Uses [MGO §28.183(6)] as Table 28E-2 in MGO Section 28.072 states that in the Downtown Residential 2 (DR2) District, a conditional use is required for a residential building complex. Also, supplemental regulation (b) for residential building complexes (MGO 28.151) states that *"Setback requirements may be reduced as part of the conditional use approval, provided that equivalent open space areas are provided."* The Supplemental Regulations [MGO §28.151] contain further applicable regulations for *Residential Building Complexes*.

Conformance with Adopted Plans

The 2018 [Comprehensive Plan](#) recommends Downtown Mixed-Use (DMU) development for the subject site. The Plan notes that this includes “*intensive mixed-use development*” which is “*generally more focused on residential, retail, and service uses than Downtown Core (DC) areas, but may also include some government and employment uses.*” The Plan also notes that, while subject to the [Downtown Plan](#) height map, some DMU areas “*are appropriate for mixed-use development that can rival development intensities within DC areas (e.g., Ovation 309, The James, and The Hub developments).*” (Page 24) For details on heights, mix of uses, ground floor uses, pedestrian friendly design, and other considerations which the Plan notes “*must be addressed for development within this category*”, the Plan defers to the [Downtown Plan](#).

The 2012 [Downtown Plan](#) locates the subject site within the “Mifflin” neighborhood/district for which it recommends “*redevelopment with a dynamic mix of employment and residential uses at relatively high densities*” with the goal of creating an engaging mixed-use neighborhood. Specifically, it recommends 2- to 6-story building heights for new construction in the district, encourages creative solutions to vehicle access and parking, including underground and shared parking, to reduce driveway cuts and facilitate development of larger footprint buildings, and evaluating the potential to create wider terraces with larger trees.

The [Mifflandia Neighborhood Plan](#) (2019) recommends residential development for both sides of W Mifflin Street from N Bedford Street to N Broom Street. For this stretch of W Mifflin Street, it recommends a maximum building height of four stories with an allowance for two additional stories provided they meet the required setbacks (for the subject site, that is a setback of 15 feet). It also recommends buildings be setback 15 feet from W Mifflin Street ROW.

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. The Plan Commission shall consider the seven approval standards in §28.185(9)(c) M.G.O. when making a determination regarding demolition requests and find them met in order to approve. 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. The statement of purpose in Section 28.185 states, in part:

“The purpose of this section is therefore to ensure the preservation of historic buildings, encourage applicants to strongly consider relocating rather than demolishing existing buildings, aid in the implementation of adopted City plans, maximize the reuse or recycling of materials resulting from a demolition, protect the public from potentially unsafe structures and public nuisances...”

On balance, staff believes that standards can be found met and provides the following additional information.

In regards to Standard 1 related to the possible building relocation efforts, the Plan Commission is required to consider any information provided related to possible relocation activities. As stated in submitted materials, the applicant has considered relocating the existing structure but is not interested to do so. However, they are open if another party wishes to do so.

Standard 5 states, *“The Plan Commission has received and considered the report of the City Forester regarding the impact a proposed building relocation could have on City terrace trees, if applicable.”* The applicant has submitted several documents including [Approved Consulting Arborist Report - Building Move Application](#), [House Move Street Tree Inventory](#), and [Street Tree Report Attachments](#). City Forestry has reviewed and approved the plan and submitted the following report to the Plan Commission - [Plan Commission Report of City Forester 1-13-2024](#). As noted above, as part of their approval, Forestry notes that before final sign off, the removal of the 30-inch diameter Ash at 441 W Dayton Street and 24-inch diameter Linden at 110 N Bassett Street will need to go before the City’s Habitat Stewardship Subcommittee on February 13, 2024 for a public hearing. This is due to the fact that the pruning required to allow for the building relocations, exceeds the pruning standards (ANSI A300) which City Forestry staff use. Additionally, Forestry has recommended three conditions of approval regarding the proposed building relocations and impact on street trees. (See Comments 23-25)

In regards to Standard 6, Planning Division staff have not received any comments from City Building Inspection, Fire, or Police and have no further condition information other than the interior and exterior photos which show a dated building. From the submitted information, staff is not aware of significant structural issues. While the code notes the condition must be considered, it does not specify that a certain structural condition or level of disrepair is necessary in order to approve a demolition.

Related to the historic value of the structures, staff notes 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.”

The Landmarks Commission reviewed the demolition of the existing building at its November 6, 2023 meeting and recommended to the Plan Commission that the building *“has no known historic value.”*

Standard 7, which includes references the standards 1-6 states that *“The Plan Commission shall consider the factors and information specified in items 1-6 and find that the proposed demolition or removal is consistent with the statement of purpose of this section and with the health, prosperity, safety, and welfare of the City of Madison.”*

Staff believe the Demolition Permit standards can be found met, subject to input at the public hearing and comments from reviewing agencies.

Conditional Use Standards

The Plan Commission may not approve an application for a conditional use unless it can find that all of the standards found in Section 28.183(6)(a), Approval Standards for Conditional Uses, are met. That section states: *“The City Plan Commission shall not approve a conditional use without due consideration of the recommendations in the City of Madison Comprehensive Plan and any applicable, neighborhood, neighborhood development, or special area plan, including design guidelines adopted as supplements to these plans. No application for a conditional use shall be granted by the Plan Commission unless it finds that all of the [standards for approval in Section 28.183(6) are met].”*

Staff provide the following discussion:

Standard 6 states:

“Measures, which may include transportation demand management (TDM) and participation in a transportation management association have been or will be taken to provide adequate ingress and egress, including all off-site improvements, so designed as to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets.”

The applicant is not required to complete and submit a Transportation Demand Management Plan for this project.

Standard 9 states, in part:

“When applying the above standards to any new construction of a building or an addition to an existing building the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district.”

Staff note that the proposal was reviewed by the Urban Design Commission as [Section 33.24\(4\)\(c\)](#), MGO states that: *“The Urban Design Commission shall review the exterior design and appearance of all principal buildings or structures and the landscape plans of all proposed residential building complexes. It shall report its findings and recommendations to the Plan Commission.”* At their meeting on January 10, 2024, the Urban Design Commission made an **ADVISORY RECOMMENDATION to the Plan Commission to grant Final Approval**. (Legistar File [80724](#)) (A copy of the report of the UDC has been included at the end of this staff report). The motion passed with a unanimous vote on that body’s consent agenda.

As for the addition of a four-story building at this location, while the height would be a story above those on the 500 block of W Mifflin Street, Staff note that there is a large, six-story building located at the rear of the adjacent site located to the southeast. Staff also note that the height and massing would be consistent with the adopted plans that pertain to the subject parcel. On balance, Staff therefore believe this standard can be found met.

Please see the analysis of the conditional use related to the reduction of the zoning rear yard setback below in the discussion of the supplemental regulations.

Supplemental Regulations

Section 28.151 of the Zoning Code includes the following supplemental regulations for Residential Building Complexes:

- a) Recreational areas may be required to serve the needs of the anticipated population.
- b) Setback requirements may be reduced as part of the conditional use approval, provided that equivalent open space areas are provided.
- c) Minimum distances between buildings shall equal the combination of the required side yards for each building, unless reduced by the Plan Commission as part of the conditional use approval.
- d) An appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.

- e) In the TE District, new residential uses, whether in new or existing buildings, shall not be located where potential nuisances exist, including but not limited to: excessive vibration, dust, noise, light, glare, smoke, odor, or truck traffic.
- f) In the TE District, new residential uses shall be adequately separated or buffered from adverse impacts from existing industrial uses.
- g) Shall be reviewed by the UDC pursuant to Sec. 33.24(4)(c), MGO. (Cr. by ORD-13-00069, 5-8-13)
- h) All Residential Building Complexes shall be submitted with a plan for building placement, circulation, access and parking, and information on the architectural design of the development.
- i) Each building in a Residential Building Complex shall provide the lot area and usable open space required for the building type by the zoning district.
- j) Entrance orientation requirements for buildings that do not front a public street and are located behind buildings that do front a public street may be modified by the Plan Commission as part of the conditional use approval, provided that the modification results in entrances being oriented to a courtyard, open space, or other common amenity of the residential building complex. (Cr. by ORD-16-00094, 11-9-16)

Regarding Supplement Regulation (b), in order to provide less than the required 20-foot zoning rear yard setback, 1) a conditional use is required and 2) the applicant must provide equivalent open space areas. The applicant is required to provide 20 square-feet of usable open space per bedroom. For the 23 bedrooms proposed, this equates to 460 square-feet of usable open space. In the Downtown Residential 2 (DR2) District, MGO 28.079(2)(c) states, *“Usable open space may take the form of at-grade open space, porches, balconies, roof decks, green roofs or other above-ground amenities.”* The applicant is providing 1,060 square-feet of usable open space on the ground and 35 square-feet via the second-story balcony located on the building at the rear for a total of 1,096 square-feet. As such, Staff believe this supplemental regulation can be found met.

Staff believes all Supplemental Regulations noted above can be found met.

As for the conditional use approval standards as they pertain to the reduction of the zoning rear yard lot, Staff believe do not believe that this will result on negative impacts to the surrounding properties. As noted above, the applicant is providing more than double the required usable open space on site.

On balance, Staff believe the conditional use standards can be found met.

Public Input

At time of writing, Staff have not received any public comments.

Conclusion

This proposal is subject to the standards for Demolitions [MGO Section 28.185(7)]. It is also subject to the standards for Conditional Uses [MGO §28.183(6)] as Table 28E-2 in MGO Section 28.072 states that in the Downtown Residential 2 (DR2) District, a conditional use is required for a residential building complex. Also, supplemental regulation (b) for residential building complexes (MGO 28.151) states that *“Setback requirements may be reduced as part of the conditional use approval, provided that equivalent open space areas are provided.”*

The Supplemental Regulations [MGO §28.151] contain further applicable regulations for *Residential Building Complexes*.

Given the report by the City Forester regarding the impact to the street trees, the findings by the Landmarks Commission, and comments from reviewing agencies, Staff believe the Plan Commission can find the demolition standards met.

Staff also believe the proposed residential development is consistent with the land uses, building heights and massing recommended by the adopted plans. Staff also note that the proposal received a unanimous recommendation of final approval from the Urban Design Commission at their January 10, 2024 meeting. Staff do not believe that the development will result in negative impacts to the surrounding parcels. Staff therefore believe the Plan Commission can find the conditional use standards met.

Recommendation

Planning Division Recommendation (Contact Chris Wells, (608) 261-9135)

- That the Plan Commission find that the standards for demolition permits are met and **approve** demolition of the single-family residence; and
- That the Plan Commission find that standards for conditional uses are met, the Planning Division recommends it **approve** requests for a residential building complex in the Downtown Residential 2 (DR2) District, and to reduce the zoning rear yard setback requirements of the residential building complex.

Approval of the project should be subject to input at the public hearing, and the recommended conditions beginning **below**.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

Engineering Division (Main Office) (Contact Tim Troester, (608) 267-1995)

1. Revise plan set to show more information on proposed drainage for the site. Use either spot elevations and drainage arrows or proposed contours to show the required drainage information. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement. (POLICY)
2. This area is within a watershed study for flood mitigation and has a known flooding risk. The minimum opening elevations for structures proposed by this application shall have a low entrance elevation that is a minimum of 2' above the adjacent sidewalk elevation. The stated elevation is intended to be protective but does not guarantee a flood proof structure. The Developer/Owner are strongly encouraged to complete their own calculations and determine an elevation that protects their property to a level of service that they are comfortable with.
3. Storm discharges shall be directly to the storm system and shall not be discharged to the rear of the site. Discharge to the storm sewer in the street is required.

4. Obtain a permit to Excavate in the Right-of-Way for completing the improvements in the public Right-of-Way. The permit application is available on the City Engineering Division website at <http://www.cityofmadison.com/engineering/Permits.cfm>. As a condition of the permit a deposit to cover estimated City expenses will be required.
5. 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))
6. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
7. 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.
8. 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)
9. 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>

10. 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 Eng. Review Mapping (Contact Jeffrey Quamme, (608) 266-4097)

11. Show, dimension and label the shared driveway easements per Doc No's 1650017 and 1230520.
12. Applicant/Owner/Contractor are collectively responsible for any construction agreement/easement necessary for any disturbance of adjacent properties during the construction/demolition/grading of this proposed redevelopment.
13. A plat of survey by a Professional Land Surveyor shall be provided to assure the boundary has been accurately determined with the tight site conditions proposed.

14. The address of the single-family house that is being relocated is 432 W Dayton St. Correct all appropriate sheets accordingly. The addresses of the two relocated buildings will be determined with the creation of the 4-unit apartment addressing plan. 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.
15. 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 for the relocated 438 W Dayton St building. The internal apartment addresses need to be updated to conform to current addressing standards.

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 Site Plan Verification application materials or a revised plan shall provided for additional review and approval by Engineering.

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.

Parking Review (Contact Trent W Schultz, (608) 246-5806)

16. The agency reviewed this project and determined a Transportation Demand Management (TDM) Plan is not required.

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

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| <p>17. The 20-foot required rear yard setback will be reduced. Setback requirements may be reduced as part of the conditional use approval, provided that equivalent open space areas are provided.</p> |
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18. Section 28.185(9)(b) 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 streets@cityofmadison.com prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9)(b) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for two (2) years from the date of the Plan Commission approval.
 19. Verify that residents of Building 1 shall have access to bicycle parking facilities located in the garage and basement of Building 2.
 20. Verify whether exterior building repairs or modifications will be proposed.

21. 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.

Madison Fire Department (Contact Matt Hamilton, (608) 266-4457)

22. A fire alarm system and/or automatic fire suppression systems are/may be required. Ensure contractors submit applications for work permits along with construction documents for all fire protection and/or life safety systems as specified in MGO 34.02, to the Madison Fire Department for approval prior to installation. Standpipes may be required to be added if the top floor is greater than 30' from fire dept access once on the new foundation. Existing sprinkler system if being re-used will need to be recalculated for new water supply, riser, etc.

Forestry Division (Contact Bradley Hofmann, (608) 267-4908)

23. Madison General Ordinances Section 28.185(7) (a) 5 Requires the PLAN COMMISSION to consider a report of the City Forester regarding the impact a proposed building relocation could have on city street trees, Section 29.12 (2)(a) requires that the City Forester approve the route along which a building will travel, and Section 29.12(2)(f) requires that no tree or shrub be trimmed or disturbed without the approval of the City Forester or property owner. City Forestry will review the Street Tree Report for Building Relocation, for the tree pruning and/or removals impacts. Additional approvals for street tree pruning and removals shall be required from City Forestry in accordance with Madison General Ordinance prior to final sign off. The applicant is advised that a hearing at the Habitat Stewardship Subcommittee shall be necessary.
24. Please see the associated document 'Plan Commission Report of the City Forester 1-31-2024'
25. The developer shall post a security deposit in the amount of \$4,423.98 prior to the start of development. In the event that street trees are damaged during the building move process, City Forestry will draw from this deposit for damages incurred. City Forestry will also be able to draw from this deposit for additional labor cost associated with the building move project.

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

26. 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. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.
27. Update Utility plan to indicate proposed water service size and material.

28. 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.

The following agencies have reviewed this request and has recommended no conditions of approval:

Traffic Engineering, Parks, Metro