

PLANNING DIVISION STAFF REPORT August 8, 2016 PC and September 9, 2016 CC



PREPARED FOR THE PLAN COMMISSION AND COMMON COUNCIL

Project Address: 412-414 S. Baldwin St. (District 6 - Ald. Rummel)

Application Type: Zoning Map Amendment, Conditional Use

Legistar File ID # [43695](#) and [43417](#)

Prepared By: Jessica Vaughn, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Reviewed By: Jay Wendt, Principal Planner

Summary

Property Owner: James Montgomery; 412 S. Baldwin St.; Madison, WI 53703

Applicant & Contact: Jim Glueck; Glueck Architects; 116 N. Few St.; Madison, WI 53703

Requested Action: The applicant requests approval of:

- A Zoning Map Amendment to rezone a portion of the project site (414 S. Baldwin St.) from Traditional Residential-Consistent 4 (TR-C4) to Traditional Shopping Street (TSS); and
- A Conditional Use for a hotel use, two outdoor eating areas, caretaker's unit, an exception to the building height transition requirements and building height in the TSS zoning district.

Proposal Summary: Because the project site is comprised of two lots with different zoning, the applicant is seeking approval of a Zoning Map Amendment to rezone a portion of the project site (414 S. Baldwin St.) from Traditional Residential-Consistent 4 (TR-C4) to Traditional Shopping Street (TSS) zoning. The rezoning will result in the same zoning district being applicable across the project site. In addition, the proposed non-residential uses are not permitted in the TR-C4 zoning district.

The applicant is also seeking approval of a Conditional Use for the construction of:

- A four-story, 6,880-square-foot addition to the existing building to accommodate an 11-room hotel use. The proposed building does not meet the height transition requirements as no building stepback is incorporated into the building design;
- Two outdoor eating areas associated with the proposed 1,250-square-foot café. The proposed café has 30 outdoor seats; six located on a front patio along S. Baldwin Street and 24 located at the rear of the building in the southwest corner of the project site. A restaurant-tavern use is a permitted use in the TSS zoning district; and
- A caretaker's unit on the project site.

As part of the development proposal, by separate application, the applicant has also requested an administrative CSM for a lot combination, and an administrative parking reduction of 13 stalls, to be reviewed by the Zoning Administrator.

Applicable Regulations & Standards: This proposal is subject to the standards for Zoning Map Amendments pursuant to Section 28.182(6), MGO.

This proposal is also subject to the standards for Conditional Uses pursuant to Section 28.183(6), MGO and the applicable Supplemental Regulations pursuant to Section 28.151, MGO for hotel, outdoor eating area,

caretaker's unit, and restaurant-tavern uses. Pursuant to Section 28.061, MGO, hotel, outdoor eating areas and caretaker's units are all identified as Conditional Uses in the TSS zoning district.

Pursuant to Section 28.065(b) and (c), MGO, buildings exceeding the height and/or the ratio limitation require Conditional Use approval.

Review Required By: Plan Commission, Common Council

Summary Recommendation: If the Plan Commission can find that the approval standards for:

- Zoning Map Amendments are met, the Plan Commission should **forward** Zoning Map Amendment 28.022 - 00248, rezoning 414 S. Baldwin St. from TR-C4 to TSS, to the Common Council with a recommendation to approve; and
- Conditional Use are met, the Plan Commission should **approve** the request to allow a hotel, two outdoor eating areas and caretaker's unit to be constructed at 412-414 S. Baldwin St., subject to Common Council approval of the Zoning Map Amendment.

This recommendation is subject to the input at the public hearing and the conditions recommended by the reviewing agencies.

If the Plan Commission cannot find that the approval standards can be met for either the Zoning Map Amendment and/or Conditional Use, the Commission should make a clear finding and **place on file** the Conditional Use request, and forward the Zoning Map Amendment to Common Council with a recommendation to **place on file**, given that the Conditional Use related to the request cannot be approved.

Background Information

Parcel Location: The project site is located mid-block on the south side of S. Baldwin Street between Williamson and Jenifer Streets. The project site is located within the Marquette-Schenk-Atwood Neighborhood and is comprised of approximately 5,085 square-feet (0.11 acres).

The site is in Aldermanic District 6 (Rummel), the Madison Metropolitan School District and the Third Lake Ridge Historic District.

Existing Conditions and Land Use: Currently the project site is comprised of two separate lots, 412 S. Baldwin St. located on the west side of the project site, and 414 S. Baldwin St. on the east. The project site is also subject to the standards of two zoning districts, TSS and TR-C4 respectively.

Located primarily on the west side of the project site (412 S. Baldwin St.), closest to Williamson Street, is a roughly 4,120-square-foot, two-story building. Originally constructed in the early 1900s (according to the City Assessor's records) and used as a church the existing building has remained vacant with the most recent use being a daycare, which not been in operation for at least ten years according to City records. The existing building straddles the existing shared property line between the two lots and zoning district boundaries. The existing building is considered nonconforming.

The east side of the project site, located closest to Jenifer Street, remains primarily undeveloped and was most recently utilized as a playground that was associated with the daycare use.

Surrounding Land Use and Zoning:

North (across S. Baldwin St.): Commercial and multi-family residential (five units); TSS and TR-V2 zoning respectively;

South: Mixed-use (Office/Residential) and multi-family residential (three units); TSS and TR-V1 zoning respectively;

East: Multi-family residential (three units); TR-V1 zoning; and

West: Office; TSS zoning.

Zoning Summary:

Zoning Criteria		
Requirements	Required	Proposed
Front Yard Setback	25' maximum	1'-9" proposed addition 5.1' existing building
Side Yard Setback: Where buildings abut residentially zoned lots at side lot line	Minimum side yard required in the adjacent residential district: 5' *	6'-0" proposed addition
Side Yard Setback: Other cases	None unless needed for access	0.7' existing building
Rear Yard Setback	The lesser of 20% of lot depth or 20' (13.2')	13'-2" proposed building 12.6' existing building
Usable Open Space	None	None
Maximum Lot Coverage	85%	82% (Zoning Condition #1)
Maximum Building Height	3 stories/40'	4 stories (Zoning Condition #2)
Stepback	Yes	None
Site Design	Required	Proposed
Number Parking Stalls	Restaurant-tavern: 15% of capacity of persons (13)	None (Zoning Condition #3)
Accessible Stalls	None	None
Loading	None	None
Number Bike Parking Stalls	Restaurant-tavern: 5% of capacity of persons (4) Hotel: 1 per 10 rooms (1) Caretaker's unit: (0) (Total 5)	6 exterior 5 bicycle storage (Zoning Condition #4)
Landscaping and Screening	Yes	Yes (Zoning Conditions #5, 6, 9)
Lighting	No	No
Building Forms	Yes	Yes, Commercial Block Building

Other Critical Zoning Items	
Yes:	Historic District: Third Lake Ridge, Barrier Free (ILHR69), Utility Easements
No:	Urban Design, Floodplain, Adjacent to Park, Wetlands, Wellhead Protection

* Where the TSS District abuts a residential district at the rear or side lot line, building height at the rear or side yard setback line shall not exceed two (2) stories/twenty-five (25) feet. From this point, building height may increase at a ratio of one foot of rise to one foot of horizontal distance away from the property line, (a 45° angle) up to the maximum allowed height. Transitions exceeding this height and/or ratio limitation require conditional use approval.

Zoning Table prepared by: Jenny Kirchgatter, Assistant Zoning Administrator

Comprehensive Plan: Consistent with the existing commercial and residential zoning, the project site is also subject to two land use recommendations. The Comprehensive Plan recommends the west side of the site (412 S. Baldwin St. with TSS zoning) as Neighborhood Mixed-Use (NMX) development and the east side of the site (414 S. Baldwin St. with TR-C4 zoning), for Medium Density Residential (MDR) development.

Neighborhood Mixed Use (TSS zoning)

The Comprehensive Plan identifies NMU districts as appropriate “locations for clusters of relatively small convenience shopping and service uses that serve as activity centers and gathering places for the surrounding neighborhoods or districts” (Page 2-86, Comprehensive Plan). In addition, the Comprehensive Plan further identifies that these areas be designed in a manner that provides a pedestrian-oriented “urban” environment, including:

- Placing buildings at the street and close to sidewalks;
- Locating any parking behind buildings or underground;
- Utilizing design features that provide for an enhanced design aesthetic, especially at the pedestrian level; and
- Incorporating the Transit Oriented Development standards where feasible as outlined in the Comprehensive Plan.

The Comprehensive Plan identifies neighborhood-serving commercial, residential types, mixed-use buildings and noncommercial residential support uses similar to Low Density Residential (LDR) districts, including parks, gardens, day care centers, civic facilities, places of worship and small offices or retail in mixed-use buildings (Page 2-81, Comprehensive Plan).

Medium Density Residential (TR-C4 zoning)

The Comprehensive Plan characterizes MDR districts are recommended primarily for a range of multi-family housing types, including two and three unit buildings as well as larger apartment buildings. The MDR recommendation is mainly applied to portions of established neighborhoods that are composed of primarily “house-like” residential buildings. In these areas, the medium density designation reflects the large number of houses that were originally built as The Comprehensive Plan identifies an average density of 16-40 units per acre for the MDR area as a whole. Non-residential uses, including day cares, schools, civic facilities, places of worship and small-scale neighborhood serving retail and service uses, especially in mixed-use buildings are identified as being appropriate in the MDR districts. The MDR areas are really intended to be the supporting development for larger-scale activity centers, providing housing en-mass, “*generally should be located around and near more-intensively development areas, such as mixed-use, general commercial or employment district in order to provide convenient access to these activity centers...*” (Page 2-82, Comprehensive Plan).

Adopted Neighborhood Plan: The project site is located within the Marquette-Schenk-Atwood Neighborhood Plan (the “Plan”) planning area. The Plan, which was adopted in 1994, further identifies the project site as being within the area designated as the Williamson Street Corridor, Neighborhood Commercial Core, which is defined as the “neighborhood and service businesses located between Few and Dickinson Streets” (Page 13, Marquette-Schenk-Atwood Neighborhood Plan).

The Plan presents a neighborhood design concept that envisions the planning area as a “town” and emphasizes the importance of creating a balance between places for living, shopping, working and recreating. The Plan also identifies general recommendations for the planning area and the Williamson Street Corridor, including:

- Encouraging the continued separation of the predominantly commercial cores and residential areas to maintain a well-defined neighborhood shopping district;
- Encouraging the continued development of businesses that would be compatible with and serving the surrounding neighborhood; and
- Encouraging the construction of mixed-use buildings (Pages 13-14, Marquette-Schenk-Atwood Neighborhood Plan).

Environmental Corridor Status: The subject site not within a mapped environmental corridor.

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

Project Description

The applicant requests approval of both a Zoning Map Amendment and Conditional Use to rezone a portion of the project site from a residential zoning district to TSS to construct a four-story, 6,880-square-foot addition to the existing building for a hotel, and restaurant-tavern with outdoor eating areas, and a caretaker’s unit. The applicant’s development proposal includes:

- An 11-unit hotel;
- 1,250 square-foot restaurant-tavern with two outdoor eating areas, one located in the front of the building along S. Baldwin Street (six seats) and one located in the rear yard (24 seats). Total capacity of the proposed restaurant-tavern is 86 (30 outdoor seats and 56 indoor seats).
- Caretaker’s unit with rooftop deck for a hotel manager to reside on-site.
- Excess bike parking (six spaces required where 11 are proposed). The required short-term (six spaces) and proposed long-term (five spaces) bike parking will be provided on site.
- Bikes for hotel users. As indicated in the Letter of Intent 15 hotel-owned bikes will be available for guests.

No onsite parking is proposed.

The proposed building addition is comprised of four stories and 6,880 square feet. The ground floor is the proposed location of the proposed restaurant-tavern and includes pedestrian oriented design elements, including storefront windows. The upper two stories will be comprised of eight hotel rooms. The front façade of the building is clad in brick that wraps around either corner, where composite siding begins and continues along the rear building elevation. The proposed building addition is minimalistic in detailing, including stone window sills and lintels and stone block accents.

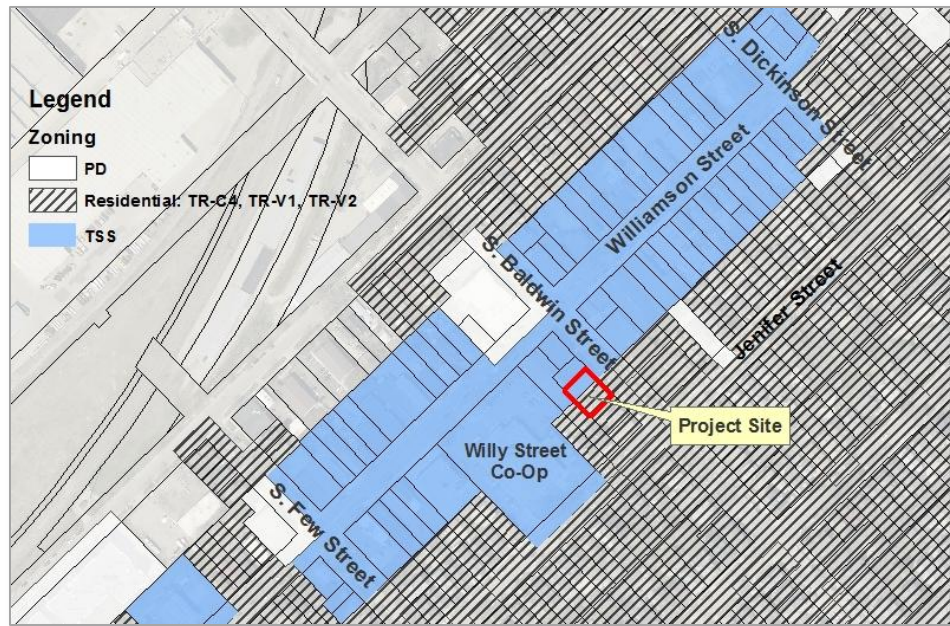
Analysis and Conclusion

Zoning Text Amendment: Pursuant to Section 28.182(6), MGO, “Text amendments or 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.”

The applicant is requesting a Zoning Map Amendment to rezone a portion of the project site (414 S. Baldwin St.) currently zoned TR-C4 to TSS. The rezoning request will result in one zoning district designation across the project site. For the portion of the project site that is being rezoned, the Comprehensive Plan recommends Medium Density Residential (MDR) development. Planning Division staff believes that the proposed TSS zoning is generally consistent with the Comprehensive Plan MDR land use recommendation given:

- The TSS zoning district is typically found in areas where commercial districts are transitioning into residential neighborhoods: “encourage appropriate transitions between higher-intensity uses with TSS districts and adjacent lower-density residential districts” (Section 28.065, MGO); and
- The district permits a variety of development types and uses that can be consistent and compatible with medium density residential development, depending on scale.

That said, given the current and past zoning designations, land use recommendations and neighborhood plan recommendations all of which hold a distinct line of commercial and residential uses between 412 and 414 S. Baldwin St., consideration should be given to whether or not eroding that line and moving the area of transition further into the neighborhood is appropriate. The Comprehensive Plan states that “future changes in land use should be guided by the more-detailed recommendations of an adopted neighborhood plan...” (Page 2-73, Comprehensive Plan).



Map 1: Zoning Map

In its recommendations, the Marquette-Schenk-Atwood Neighborhood Plan emphasizes the importance of maintaining a well-defined “...separation between the predominantly commercial cores and predominantly residential areas...” (Page 14, Marquette-Schenk-Atwood Neighborhood Plan). Today, there is a distinct point of transition between the residential and commercial land uses on this block of S. Baldwin Street that is also present in current land use designations, zoning district boundaries and neighborhood plan. As exhibited in the zoning map above and the Comprehensive Plan Land Use map below, the only diversion in the line between commercial and residential uses, land use recommendation, or zoning, within several blocks of the project site, is the jog associated with the Willy Street Co-Op. The same distinction is also present in the uses existing on the ground as they transition

residential districts requirement pursuant to Section 28.065(3)(b), MGO, and building height pursuant to Section 28.065(3)(c), MGO is also consistent with the applicable approval standards given that:

- The mass and scale of the proposed building is consistent with that of the surrounding development, which are primarily two-three stories in height. Although the proposed building addition is considered a four-story building as a result of the stair tower overrun, it will read as a three-story building. The stair tower comprising the fourth story, which necessitates the building height Conditional Use request, is minimalistic and will provide the access required by the building code to the rooftop deck, an on-site open space amenity, and is not a full story;
- The proposed building material palette is comprised primarily of brick (on the front façade, wrapping to the side elevations) and vinyl siding (on the side and rear facades). Both are materials that are present in the surrounding neighborhood; and
- The proposed building design and architectural treatment is reflective of commercial structures of its time (circa 1900). Given the location of the project site within the Third Lake Ridge Historic District, warrants additional design consideration to creating a modern building of its time, but that is also reflective of the districts time period. Planning Division staff believes that the requested building side yard stepback exception meets the applicable approval standards to provide architecture that is consistent and compatible with, and respectful of the standards for the historic district.
- The intent of the building stepback requirement is to not only provide an appropriate transition between commercial and residential buildings, but to also provide relief to smaller scale building from larger buildings that may appear to loom. The Planning Division staff believes that the requested building rear yard stepback is consistent with the applicable approval standards and general intent of the stepback requirement given the overall size of the proposed building, the existing building relationships with the project site backing to a backyard, and the overall height of the proposed addition being comparable, and in some cases less than, the existing residential buildings.

Standard #3. Conditional Use Standard No. 3 states, *“The uses, values and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner.”* Staff believes that this standard speaks to the ensuring the compatibility of uses in terms of operational characteristics, and to implementing mitigation measures, if possible, of nuisance impacts. Nuisance impacts include those related to lighting, noise, trash, loading and deliveries, and hours of operation.

In order to meet this standard and given the proximity of the project site to established residential uses, Staff recommends employing conditions of approval that are intended mitigate potential nuisance impacts be considered, including:

- A condition limiting the hours of operation of the outdoor eating areas to 9:30 pm seven days a week; and
- A condition prohibiting the use outdoor amplified sound; and
- An Operating Plan that provides details regarding:
 - Frequency, hours and location of delivery services, including parking,
 - Trash service, including coordination with surrounding businesses;
 - The location of guest loading, unloading and parking; and
 - Property maintenance and security.

Planning Division staff believes that such limitations would be appropriate in the consideration of the project’s potential nuisance impacts as they apply to the uses, values and enjoyment of other properties in the neighborhood (Standard No. 3).

In addition, Planning Division staff has concerns regarding the overall suitability of the project site as a location for a hotel use given the location of the project site adjacent to residential development and the typical operating characteristics of a hotel use, which provides 24-hour services to a more transient population.

Standard #4. Conditional Use Standard No. 4 states, *“The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.”* Staff believes that this standard speaks not only to the subject development proposal, but also to the future redevelopment of both the project site and surrounding properties.

The project site is located in a transitional area, between residential and commercial development and with residential development adjacent to the site. As identified above, there is a distinct line drawn between the residential and commercial development that is located on this block of S. Baldwin Street. The line of distinction is iterated by the Comprehensive Plan land use recommendations, zoning district boundaries and the adopted neighborhood plan. Consideration should be given to the impact of blurring the existing clearly defined line of distinction, and the impact that has on the future redevelopment or improvement of the existing neighboring residential properties as a result of locating a 24-hour commercial use on the project site.

Landmarks Commission: At their April 4, 2016 regular meeting, the Landmarks Commission conditionally approved a Certificate of Appropriateness for the proposed development, including the lot combination and new construction with staff level review of the final details. As stated in the Historic Preservation Planner’s report, “The overall form and general architectural treatment of the proposed building is typical of circa 1900 commercial structures in the area.”

Public Comment: At the time of report writing, public comment from the Marquette Neighborhood Association (MNA) had been received and is attached to this report. The MNA has reviewed the development proposal and has voted to oppose the project based on the following:

- The rezoning would extend retail uses further into the neighborhood.
- The proposed lot combination would create a larger than average parcel size.
- The proposed building height and other conditional use requests, including eliminating building setbacks.
- The Board also had a spirited conversation regarding the lack of parking provided by the proposed development with opinions/comments made both for and against.
- The proposed building setbacks are not consistent with other buildings on the block.

Recommendation

Planning Division Recommendation (Contact Jessica Vaughn, (608) 267-8733)

If the Plan Commission can find that the approval standards for:

- Zoning Map Amendments are met, the Plan Commission should **forward** Zoning Map Amendment 28.022 - 00248, rezoning 414 S. Baldwin St. from TR-C4 to TSS, to the Common Council with a recommendation to approve; and
- Conditional Use are met, the Plan Commission should **approve** the request to allow a hotel, two outdoor eating areas and caretaker’s unit to be constructed at 412-414 S. Baldwin St., subject to Common Council approval of the Zoning Map Amendment.

This recommendation is subject to the input at the public hearing and the conditions recommended by the reviewing agencies.

If the Plan Commission cannot find that the approval standards can be met for the Zoning Map Amendment and/or Conditional Use, the Commission should make a clear finding and **place on file** the Conditional Use request, and forward the Zoning Map Amendment to Common Council with a recommendation to **place on file**, given that the Conditional Use related to the request cannot be approved.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division (Contact Jessica Vaughn, (608) 267-8733)

1. Prior final approval and building permit issuance, the Applicant shall submit final plans for review and approval by staff, and shall include the following revisions:
 - a. Revise the letter of intent for provide consistent information with the plan set, including floor area, bike parking, hotel rooms and seating information.
 - b. Include sheet numbers on all sheets in the plan set.
 - c. In the Building Summary Table please provide a calculation for open space (includes landscape areas, sidewalks under 5', permeable paver areas), paved area (includes bike parking, setback areas under eight feet in any dimension, concrete patio areas, etc.) and building footprint (both existing and new).
 - d. Correct the Project Totals to reflect the same number of outdoor seats provided as shown, 30 outdoor seats not 32.
 - e. The outdoor seating in the rear yard only reflects 24 seats, not 26. Revise as necessary
 - f. Correct the Parking Space Summary to reflect the total parking required and provided.
 - g. Correct the Bike Parking summary to reflect the total bike parking required (six spaces) and the total provided (11 spaces). In addition as indicated in the Letter of Intent a total of 15 hotel owned bikes will be available to hotel users. Please indicate where these bikes will be parking in the Letter of Intent.
 - h. Provide fully dimensioned floor plans for all floors.
 - i. Pursuant to Section 28.141, MGO, a total of six (6) bike parking spaces are required. Pursuant to Section 28.141(11)(b), MGO, short-term bike parking is required to be within 100 feet of a principal entrance. Revise as necessary.
 - j. Include the overall building height on all building elevations.
 - k. Include the proposed materials on all four sides of the building.
 - m. Provide a detail of the proposed fence.
 - n. Provide a detail of the proposed trash enclosure.
2. Pursuant to Section 28.060(2)(a), MGO, all new buildings shall have a functional entrance oriented to an abutting public street. Entries shall be delineated with elements such as roof overhangs, recessed entries, landscaping or similar design features. As indicated on the first floor plan there is not currently a functional "front door" fronting on S. Baldwin Street. The Applicant shall work with Planning Division staff to revise the building elevations to include an operational "front door". Please note that changes to the exterior elevations may require Landmark Commission review and approval.
3. As indicated on the site plan, bike parking is proposed in the terrace on S. Baldwin Street, in the right-of-way. This approval does not constitute approval of such an encroachment. A Privilege in Streets Permit is required in order to locate the proposed bike parking in the terrace as shown.

4. The outdoor eating area shall not be used for food and beverage service or outdoor activity after 9:30 PM, seven days a week.
5. There shall be no amplified sound, including, but not limited to television, ambient music or musical performances, in the outdoor eating area.
6. Pending review by the Building Inspection Division, the capacity of the outdoor eating area shall not exceed 38 persons.
7. The hotel use shall be limited to 11 guest rooms.
8. The Applicant shall provide an Operating Plan that provides details regarding the proposed operating details for the hotel and restaurant, including:
 - The frequency, hours and location of delivery services, including parking;
 - Trash service, including coordination with surrounding businesses;
 - The location of guest loading, unloading and parking; and
 - Property maintenance and security.

City Engineering Division (Contact Brenda Stanley, (608) 261-9137)

1. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's/Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering sign-off (Section 16.23(9)(d)(4), MGO).
2. This The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service (POLICY).
3. The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development (POLICY).
4. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction (POLICY).
5. All work in the public right-of-way shall be performed by a City licensed contractor (Sections 16.23(9)(c)(5) and 23.01, MGO).
6. All damage to the pavement on S Baldwin St, adjacent to this development shall be restored I accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY).

Traffic Engineering Division (Contact Eric Halvorson, (608) 266-6527)

1. 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; 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.
2. 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.
3. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

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

1. Provide a calculation and plan exhibit for lot coverage with the final submittal. The lot coverage maximum is 85%. 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.
2. Show the height of the proposed building on the elevations. Height is the average of the height of all building facades. For each facade, height is measured from the midpoint of the existing grade to the highest point on the roof of the building or structure. No individual facade shall be more than fifteen percent (15%) higher than the maximum height of the zoning district.
3. Vehicle parking is required at a minimum rate of 15% of capacity of persons (13 stalls) for the proposed restaurant-tavern and outdoor eating areas. A vehicle parking reduction will be required per Section 28.141(5). A reduction of up to 20 spaces may be approved by the Zoning Administrator. A request for a parking reduction, including information to support the argument for reducing the required number of spaces, has been submitted for review.
4. Provide details of the proposed bike storage area.
5. Submit a landscape worksheet with the final plan submittal. The landscaping shall be shown consistently between the two site plans or on a separate landscape plan.
6. Submit a detail of the trash enclosure area. 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.
7. The capacity shall be established for the outdoor eating area. Occupancy is established by the Building Inspection Unit. Contact a building plan reviewer with the Building Inspection Unit to help facilitate this process.
8. Provide an appropriate barrier such as a fence between the outdoor eating areas and the public sidewalk and adjacent properties. Where the use is conditional, 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.

9. Lighting is not required. However, if it is provided, it must comply with City of Madison General Ordinances Section 10.085 outdoor lighting standards.
10. Per Section 28.186(4)(b), MGO, 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.
11. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

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

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

Parks Division (Contact Janet Schmidt, (608) 266-4714)

1. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development. The developer must select a method for payment of park fees before sign off on the rezoning. This development is within the Law Tenney impact fee district (SI 26). Please reference ID# 16132 when contacting Parks about this project.
2. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction: <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

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

1. All operating private wells shall be identified and permitted by the Water Utility in accordance with Section 13.21, MGO. All unused private wells shall be abandoned in accordance with Section 13.21, MGO.

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

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

City Engineering Review Mapping (Contact Jeff Quamme, (608) 266-4097)

1. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel- Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.
2. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
3. Submit a PDF of all floor plans to lzenchenko@cityofmadison.com so that a preliminary interior addressing plan can be developed. Identify all doorways into the building and into every room. Label the hotel lobby/check in area. Label the lower level kitchen prep area. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.