

# PLANNING DIVISION STAFF REPORT

JUNE 28, 2017 URBAN DESIGN COMMISSION

JULY 10, 2017 PLAN COMMISSION



**Project Address:** 2230 W. Broadway

**Application Type:** Conditional Use

**Legistar File ID #** [47312](#)

**Prepared By:** Timothy M. Parks, Planning Division  
Report includes comments from other City agencies, as noted.

## Summary

**Applicant:** Tim Radelet and David Porterfield, Movin' Out, Inc.; 902 Royster Oaks Drive; Madison.

**Property Owner:** City of Madison Community Development Authority

**Requested Actions:** Approval of a conditional use to allow a mixed-use building with 2,800 square feet of commercial space and 48 apartments to be constructed at 2230 W. Broadway.

**Proposal Summary:** The applicant wishes to construct a four-story, 85,800 gross square-foot mixed-use building with 2,800 square feet of first floor commercial space and 48 apartments to be located above one level of under-building parking for 40 autos. The applicant proposes to commence construction in September 2017, with completion anticipated by the fall of 2018.

**Applicable Regulations & Standards** Section 28.067(4)(a) states that any mixed-use or multi-tenant building over 40,000 square feet of gross floor area in the CC-T (Commercial Corridor–Transitional) district requires approval of a conditional use. Section 28.151 states that any mixed-use building with more than 24 dwelling units in the CC-T district requires conditional use approval. Sections 28.061(1) and 28.151 state that any building with less than 75% non-residential ground floor building frontage facing the primary street and less than 75% non-residential ground floor area requires conditional use approval. Section 28.183 provides the process and standards for the approval of conditional use permits. The criteria for new development in Urban Design District 1 are found in Section 33.24(8) of the Urban Design Commission ordinance.

**Review Required By:** Urban Design Commission and Plan Commission.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find the standards met and **approve** conditional uses to allow construction of a mixed-use building at 2230 W. Broadway following a recommendation by the Urban Design Commission, and subject to input at the public hearing and the conditions from reviewing agencies beginning on page 6 of this report

## Background Information

**Parcel Location:** An approximately 1.14-acre parcel located at the northeastern corner of W. Broadway and Fayette Avenue; Aldermanic District 14 (Carter); Urban Design District 1; Madison Metropolitan School District.

**Existing Conditions and Land Use:** Undeveloped land, zoned CC-T (Commercial Corridor–Transitional District).

**Surrounding Land Uses and Zoning:**

North: Single-family residences, zoned TR-C1 (Traditional Residential–Consistent 1 District);

South: South Towne Mall commercial complex in the City of Monona;

West: PDQ, zoned CC-T (Commercial Corridor–Transitional District); two-family residence along Lake Point Drive, zoned TR-C4 (Traditional Residential–Consistent 4 District);

East: Antler’s Tavern, zoned CC-T.

**Adopted Land Use Plans:** The Comprehensive Plan recommends the subject site, adjacent tavern, and auto service station/ convenience store for Neighborhood Mixed-Use development, with the residential properties to the north recommended for Low-Density Residential uses.

The 1986 Broadway-Simpson-Waunona Neighborhood Plan identifies the W. Broadway frontage on either side of Fayette Avenue in the City of Madison for neighborhood commercial uses.

**Zoning Summary:** The site is zoned CC-T (Commercial Corridor–Transitional District):

Requirements	Required	Proposed
Front Yard	0’ Minimum, 25’ Maximum	5.6’
Side Yards	6’ for interior; 0’ along Fayette Ave.	14.2’ from west; 61.4’ from east
Rear Yard	Lesser of 20% of lot depth or 20’	Adequate
Useable Open Space	160 sq. ft. per one-bedroom unit; 320 sq. ft. for greater than one-bedroom units (14,720 sq. ft.)	11,960 sq. ft. at grade; 3,384 sq. ft. porches (15,344 sq. ft. total)
Maximum Lot Coverage	85%	76%
Maximum Building Height	5 stories / 68’	4 stories / 45’
Auto Parking	No minimum	67
Bike Parking	1 per dwelling unit + 1 visitor stall per 10 res. units = (59); General retail, service business, office: 1 per 2,000 sq. ft. floor area (2 min.) (61 total)	16 surface; 53 underground (69) (See conditions)
Loading	N/A	0
Building Forms	Flex Building	(See conditions)
<b>Other Critical Zoning Items</b>		
Yes:	Urban Design (Urban Design Dist. 1), Barrier Free, Utility Easements	
No:	Floodplain, Wellhead Protection, Landmarks, Waterfront Development, Adjacent to Park	
<i>Prepared by: Tim Parks, Planning Division</i>		

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

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

## Previous Approvals

On January 11, 2016, the Plan Commission approved a conditional use to allow a construction of a mixed-use building with 14,000 square feet of commercial space and 36 apartments at 2230 W. Broadway. The proposed first floor commercial space had been identified at that time as the potential future home for a new, larger Bridge-Lake Point-Waunona Neighborhood Center (see ID [40590](#) for more information on the earlier project).

The Plan Commission decision was upheld by the Common Council on March 1, 2016 following an appeal filed by 20% or more of property owners within 200 feet of the site objecting to the Plan Commission's January action (see ID [41561](#) for more information on the appeal and Council decision).

## Project Description

The applicant has submitted a new request for conditional use approval for the vacant 1.14-acre parcel located at the northeastern corner of W. Broadway and Fayette Avenue. The new request calls for the construction of a four-story mixed-use building that will contain 2,800 square feet of first floor commercial space and 48 apartment units.

The proposed four-story building supersedes an earlier three-story mixed-use building proposal previously approved for the site as noted in the preceding section. That project and a related proposal by the applicant to build 12 townhouse units nearby at Hoboken Road and Lake Point Drive were awarded Section 42 affordable housing tax credits in the 2016 cycle by the Wisconsin Housing & Economic Development Authority (WHEDA). Since those approvals, the plans to relocate the Bridge-Lake Point-Waunona Neighborhood Center into the first floor commercial space previously approved for the subject site and redevelop its current location at 1917 Lake Point Drive with the 12 townhouse was unable to proceed due to funding issues. As an alternative, the applicant was granted approval by WHEDA to combine the 48 dwelling units proposed between the two sites into one project, which represents the 48 units now proposed for the subject 2230 W. Broadway property.

Like the three-story version that preceded it, the proposed four-story mixed-use building will parallel W. Broadway. The commercial spaces will be located on the western end of the first floor adjacent to Fayette Avenue, with entrances proposed to both streets and from an eleven-stall surface parking lot to be located behind the building, which will be accessed from a driveway from Fayette. Elsewhere on the first floor, the applicant proposes a residential lobby and commons along the southern façade, and eight apartment units. A second residential lobby will face north toward a separate 16-stall parking lot, which will be accessed from a driveway from W. Broadway shared with the adjacent Antlers Tavern. The eastern driveway will also provide access to an underground garage that will include 40 auto parking stalls and 53 bike parking stalls. The area between the two parking areas is shown as a landscaped open space; a second, smaller open space is proposed along the eastern wall of the building. The upper three floors of the building will contain the remaining 40 dwelling units. Overall, the 48 apartments proposed will consist of four one-bedroom units, 32 two-bedroom units, and 12 three-bedroom units.

Elevations of the building propose a simple, contemporary commercial building to be clad with a combination of fiber cement siding and panels above a masonry base, with a distinct base, middle and top. The eight ground floor units will have exterior entries accessed from front porches. Balconies are proposed for the residential units on the upper three floors, which will be enclosed with metal railings.

## Analysis and Conclusion

Any mixed-use or multi-tenant building over 40,000 square feet of gross floor area in the CC-T zoning requires approval as a conditional use. Additionally, conditional use approval is required for any mixed-use building with more than 24 dwelling units in the CC-T district, any building with less than 75% non-residential ground floor building frontage facing the primary street, and less than 75% non-residential ground floor. 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 following conditions are present."

The Planning Division generally believes that the conditional use standards can be met for the proposed mixed-use building. Staff believes that the proposed development should not have an adverse impact on the uses, values and enjoyment or normal and orderly development of surrounding properties, and should not create an adverse impact on the City's ability to provide services to the site. Following review of a traffic impact analysis for the four-story development by the Traffic Engineering Division, staff also believes that approval of the project will not create an undue impact on traffic, circulation or parking in the surrounding area.

The proposed redevelopment of the site is consistent with the statement of purpose for the CC-T zoning district, which was established to recognize the many commercial corridors in the City that are largely auto-oriented, and encourage their transformation into mixed-use corridors that are equally conducive to pedestrian, bicycle, transit and motor vehicle activity. Staff also believes that the project is also consistent with the Neighborhood Mixed-Use (NMU) development recommended for the site by the Comprehensive Plan. NMU districts are recommended locations for clusters of relatively small convenience shopping and service uses that serve as pedestrian-oriented activity centers and gathering places for the surrounding neighborhoods or districts located along relatively important streets within or adjacent to residential districts. Buildings in NMU areas are recommended to be two to four stories tall and placed close to the sidewalk and street, with parking located primarily behind the buildings or underground. Neighborhood-serving commercial buildings and uses, housing with no fixed maximum number of dwelling units per building developed at a density up to 40 units per acre, and non-commercial residential support uses similar to Low-Density Residential districts are recommended elements for new developments in areas with the NMU designation. Staff believes that the building placement, use mix, and site plan are consistent with the NMU district recommendations. However, the 48 dwelling units proposed for the 1.14-acre site, which corresponds to a density of 42 units per acre, is slightly denser than the 40 unit per acre threshold generally recommended for NMU development.

The project is also generally consistent with the neighborhood commercial recommendation applied to the site and adjacent commercial properties at the W. Broadway-Fayette Avenue intersection by the 1986 Broadway-Simpson-Waunona Neighborhood Plan, which was developed to create a neighborhood stabilization and redevelopment vision for the area of the City located west of Monona between Lake Monona and the then new South Beltline Highway. The neighborhood commercial recommendation was the antecedent for the NMU recommendation applied to a similar geographic area by the Comprehensive Plan.

Staff believes that the mixed-use building can also meet the requirements for new development in Urban Design District (UDD) 1 sufficiently for the Urban Design Commission to grant the project initial approval. UDD 1 was established to "make John Nolen Drive and the South Beltline Highway and adjacent properties, a most visually

attractive approach to the City, to establish requirements and guidelines for aesthetically pleasing future development, and to assure that future development in the district will preserve and enhance the property values..." and "to foster a sense of personal and civic pride among the property owners, particularly as it relates to the appearance of their area, and the corresponding promotion of the commercial enterprises therein." The Planning Division believes overall that the Urban Design Commission may find that the building meets the requirements for new development in Urban Design District 1. Specifically, the project provides the effective screening of parking recommended by the district, with all of the proposed parking located at the rear of the building or underground. Further, the architecture of the building suggests that it can meet the district goals for contemporary architecture, and for materials and colors of new buildings to be durable, low maintenance, and harmonious with each other and with other buildings in the neighborhood.

Staff believes that the project can also be designed to meet the general requirements for mixed-use and commercial buildings in Section 28.060 of the Zoning Code subject to the applicant providing some additional details prior to final approval of the project and issuance of permits. The proposed building is considered a Flex Building as described in Section 28.173(7) of the Code, which calls for a variable building type of at least two stories of height designed to accommodate a variety of uses, including combinations of office, retail, lodging, and/or residential. A principal entrance should be oriented to the primary abutting street, with one or more ground floor entrances from the primary abutting street. In order to obtain final approval of the project prior to receiving building permits, the applicant will need to demonstrate that the final plans for the proposed building meet the requirements in the Zoning Code that the non-residential uses at ground floor level have windows, doors or other openings that comprise at least 60% of the length and at least 40% of the area of the ground floor of the primary street façade, with at least 50% of windows on the primary street facade to have the lower sill within three feet of grade. For residential uses at ground level, a minimum of 15% of the ground level of residential facades or side and rear facades not fronting a public street shall consist of windows and door openings; window or balcony openings shall occupy a minimum of 15% of the upper-story wall area on upper stories.

In closing, the applicant is proposing to develop a long-vacant property located along the north side of W. Broadway opposite South Towne Mall at the western entry to the Bridge-Lake Point-Waunona neighborhood with a four-story mixed-use building. The Planning Division believes that the proposed building can meet the standards of approval for the conditional uses required, and that the building meets the requirements for new development in Urban Design District 1 and for new buildings in the Mixed-Use and Commercial districts in the Zoning Code.

[The UDC gave **initial** approval to the project with conditions at its June 28, 2017 meeting.]

## **Recommendation**

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

The Planning Division recommends that the Plan Commission find the standards met and **approve** conditional uses to allow construction of a mixed-use building at 2230 W. Broadway following a recommendation by the Urban Design Commission, and subject to input at the public hearing, the following Planning Division condition(s) and the conditions from reviewing agencies:

**Recommended Conditions of Approval**

Major/Non-Standard Conditions are Shaded

1. Any proposed HVAC or utility penetrations on the building shall not face W. Broadway or Fayette Avenue. Any such penetrations elsewhere on the exterior of the building shall be designed to be perpendicular to the facades to limit their visibility to the greatest extent possible. No utility or HVAC pedestals or penetrations, including HVAC wall packs for units, and gas meters or electric meters for buildings/ units shall be permitted without specific approval by the Urban Design Commission and Plan Commission.
2. The applicant shall work with the Zoning Administrator and Planning Division staff to address the project's compliance with the building design requirements in Section 28.060 of the Zoning Code as identified in the Zoning Administrator's comments regarding this project [later in this section]. Those plans shall then be presented to the Urban Design Commission for final approval prior to final sign-off of the project and issuance of building permits. The plans presented for final approval shall demonstrate compliance with the Zoning Code as well as address any prior comments about the project by the Urban Design Commission.

**The following conditions have been submitted by reviewing agencies:**

**City Engineering Division** (Contact Tim Troester, 267-1995)

3. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that will not serve the new building. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees.
4. All new parking areas must be treated to 60% TSS control for stormwater management; the plans as submitted show treatment for only one of two lots.
5. The applicant shall install public sidewalk along Fayette Avenue. The applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later.
6. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior to City Engineering sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
7. 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.
8. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the City Engineering Division (Storm/Sanitary Section). The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number. The digital copies shall be drawn to scale and represent final construction including: building footprints; internal walkway areas; internal site parking areas; other miscellaneous impervious areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.);

right-of-way lines (public and private); plat name and lot lines (metes & bounds parcel lines if unplatted); platted lot numbers (noted "unplatted lands" if not platted); lot/plat property dimensions; street names; private on-site sanitary sewer utilities (including all connections to public sanitary); private on-site storm sewer utilities (including all connections to public storm). The CAD file will only be required prior to final plan review so that multiple files do not need to be supplied or reviewed. The party responsible for the CAD file e-mail transmission shall include the project site address in the email subject line. Any changes or additions to the location of the building, private utilities, sidewalks, parking/pavement during construction will require a new CAD file transmittal.

9. The applicant shall 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](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)) PDF submittals shall contain the following information: a) Building Footprints; b) Internal Walkway Areas; c) Internal Site Parking Areas; d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.); e) Right-of-Way lines (public and private); f) Lot lines or parcel lines if unplatted; g) Lot numbers or the words unplatted; h) Lot/Plat dimensions; i) Street names; j) Stormwater Management Facilities; k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
10. 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. Include copies of all stormwater, utility, and detail plan sheets that contain stormwater practices on 8.5x14 size paper in the draft document. These drawings do not need to be to scale as they are for informational purposes only. Once City Engineering staff have reviewed the draft document and approved it with any required revisions submit a signed and notarized original copy to City Engineering. Include a check for \$30.00 made out to Dane County Register of Deeds for the recording fee. City Engineering will forward the document and fee for recording at the time of issuance of the stormwater management permit. The draft SWMA document can be emailed to Tim Troester (west) at [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com), or Jeff Benedict (East) at [jbenedict@cityofmadison.com](mailto:jbenedict@cityofmadison.com). The final document and fee should be submitted to the City Engineering Division.
11. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 24-hour, 100-year design storm. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin PE that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin PE or licensed Plumber that show this requirement has been met.
12. The applicant shall demonstrate compliance with Sections 37.07 and 37.08 of Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
13. This site appears to disturb over 1 acre of land and requires a permit from the Wisconsin Department of Natural Resources (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 Water Resources Application for Project Permits (WRAPP) or Notice of Intent Permit (NOI) permit process.

14. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to: Reduce TSS by 80% off of the proposed development when compared with the existing site; and complete an erosion control plan and 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 MGO.
15. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction
16. 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.
17. The applicant shall replace all sidewalk and curb and gutter that abuts the property that 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.
18. All work in the public right of way shall be performed by a City-licensed contractor.
19. All damage to the pavement on W. Broadway and Fayette Avenue adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.

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

20. The proposed new building will cross several underlying platted lot lines. Current City enforcement of Building and Fire codes and requires the underlying platted lot line be dissolved by Certified Survey Map (CSM) prior to issuance of a building permit. A CSM and required supporting information shall be prepared and submitted to the City of Madison Planning Department. The CSM shall be approved by the City and recorded with the Dane County Register of Deeds prior to issuance of a building permit.
21. Note: The applicant had discussed the possibility of requesting the discontinuance/vacation of the unimproved 14-foot wide alley along the north side of this site. If this interest still exists, contact Jeff Quamme (jrquamme@cityofmadison.com - 266-4097) to coordinate any possible discontinuance/ vacation.
22. Submit a PDF of all floor plans to lzenchenko@cityofmadison.com so that a preliminary interior addressing plan can be developed prior to plans being submitted for permit review. 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.



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

23. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawing 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.
24. 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.
25. 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.
26. All parking facility design shall conform to the standards in MGO Section 10.08(6).
27. 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.
28. Work with Traffic Engineering staff to modify the commercial lot to allow circulating parking to turn around. This is typically done by painting out one of the stalls or adding additional pavement to be used for vehicular turning movements.
29. The applicant shall ensure a 10-foot vision triangle is maintained with a vertical clearance between 30 inches and 10 feet at all entrances.
30. Traffic Engineering staff recommends that all bicycle parking adjacent pedestrian walkways shall have a two-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
31. The plan submitted for review did not include dimensioning of the underground parking. It will still be required to comply with MGO Section 10.08. The applicant can expect that if this is not in compliance, they shall be required to bring the spaces into compliance up to and including modifying wall and column geometry.

**Metro Transit** (Contact Tim Sobota, 261-4289)

This agency submitted a response with no comments or conditions for this request.

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

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| <p>32. Wall mounted vertical style bike racks are proposed for the long-term resident bicycle parking stalls. Up to 25% of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a</p> |
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five (5) foot access aisle for wall mount parking. A bicycle parking adjustment will be required for bicycle stalls that do not meet the Zoning Code requirements for number, location, style or type of stalls.

33. Bicycle parking shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of two (2) short-term bicycle parking stalls for the commercial tenant spaces. Required short-term bicycle parking spaces shall be located in a convenient and visible area at least as close as the closest non-accessible automobile parking and within 100 feet of a principal entrance. Relocate the required short-term bicycle parking stalls for the commercial tenants to a convenient and visible area near the principal entrances. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5)-foot wide access area. Provide a detail of the proposed bike rack.
34. As each commercial tenant space is leased, the entire development must reflect compliance in the required number and type of bicycle parking spaces, to be reviewed prior to obtaining zoning approval for each use.
35. Bicycle parking for the residential dwelling units shall comply with Sections 28.141(4)(g) and 28.141(11) and shall be designated as short-term or long-term bicycle parking. A minimum of 54 resident bicycle stalls are required plus a minimum of 5 short-term guest stalls. At least 90% of required resident bicycle parking shall be designed as long-term parking. Up to 25% of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking. NOTE: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5)-foot wide access area. Submit a detail showing the model of bike racks to be installed, including wall mount or vertical style bike racks.
36. Provide details showing that the primary street façade meets the door and window opening requirements of Section 28.060(2)(d). For non-residential uses at ground floor level, windows and doors or other openings shall comprise at least 60% of the length and at least 40% of the area of the ground floor of the primary street facade. At least 50% of windows on the primary street facade shall have the lower sill within three (3) feet of grade. For residential uses at ground level, a minimum of 15% of the ground level of residential facades or side and rear facades not fronting a public street shall consist of windows and door openings. On upper stories, window or balcony openings shall occupy a minimum of 15% of the upper-story wall area.
37. Identify the location of the site-mounted HVAC equipment and screening. Ground level mechanical equipment and utilities shall be fully screened from view from any street or residential district. Provide a detail of the screening.
38. 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.
39. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31 Sign Codes and MGO Chapter 33 Urban Design Commission ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

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

40. Provide fire apparatus access as required by IFC 503 2012 edition, MGO Section 34.503 as follows: The site plans shall clearly identify the location of all fire lanes.

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

41. 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/plumberscontractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E. Olin Avenue. 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 266-4646. Madison Water Utility will be required to sign off as part of the approval review associated with this Land Use Application/Site Plan Review prior to the issuance of building permits for the proposed development.

**Parks Division/ City Forestry** (Contact Janet Schmidt, 261-9688)

42. 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(6) will be required for all new residential development associated with this project. This development is within the East Park Infrastructure Impact Fee district. Please reference ID# 15163 when contacting Parks Division staff about this project.

43. City Forestry will remove three dead city street trees along W. Broadway.

44. 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*.

45. Additional street trees are needed for this project. All street tree planting locations and tree species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brad Hofmann – [bhofmann@cityofmadison.com](mailto:bhofmann@cityofmadison.com) or 266-4816. Tree planting specifications can be found in Section 209 of *City of Madison Standard Specifications for Public Works Construction*.

46. Please including the following note on the landscape plans: "Contractor shall contact City Forestry Brad Hofmann [bhofmann@cityofmadison.com](mailto:bhofmann@cityofmadison.com) or 266-4816 before digging within five feet of the 24" diameter Linden on Fayette Avenue for installation of sidewalk."