



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 2165 Linden Avenue (15<sup>th</sup> Aldermanic District – Ald. Foster)

**Application Type:** Zoning Map Amendment, Demolition Permit, Certified Survey Map, and Neighborhood Plan Amendment

**Legistar File ID #** [69790](#) & [69799](#) & [70655](#)

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

**Reviewed By:** Heather Stouder, AICP, Planning Division Director  
Kevin Firchow, AICP, Principal Planner

## Summary

**Applicant:** Tyler Krupp; Threshold Development; 1954 Atwood Ave; Madison, WI 53704

**Contact:** Kevin Burow; Knothe & Bruce Architects, LLC; 7601 University Ave; Middleton, WI 53562

**Property Owner:** Zion Evangelical Lutheran Church; 2165 Linden Ave; Madison, WI 53704

**Requested Actions:** Approval of a demolition permit to raze a vacant place of worship, approval of a zoning map amendment to rezone 2165 Linden Avenue from TR-V1 (Traditional Residential – Varied 1 district) to amended PD-SIP (Planned Development – Specific Implementation district) to construct multi-family residential building, and approval of a Certified Survey Map to dissolve underlying lot lines. An amendment to the neighborhood plan ([Legistar ID 69937](#)) is under consideration simultaneously with the land use application requests.

**Proposal Summary:** The applicant is requesting approval to demolish an existing vacant church building and rezone 2165 Linden Avenue from TR-V1 to PD to permit the construction of a three-story residential building with 32 dwelling units and 44 structured parking stalls on a lot to be create via a related CSM.

**Applicable Regulations & Standards:** Section 28.182 M.G.O. provides the process for zoning map amendments. Section 28.098 M.G.O. describes the use and processes for Planned Development Districts.

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

**Summary Recommendation:** The Planning Division first recommends that the Plan Commission consider the Schenk-Atwood-Starkweather-Worthington Park neighborhood plan amendment ([Legistar ID 69937](#)) and if supportive, make a recommendation to Common Council for adoption. The Planning Division further recommends that if the Plan Commission can find that the standards for Planned Developments are met, then it should forward Zoning Map Amendment IDs 28.022-00560 and 28.022-00561, rezoning 2165 Linden Avenue from TR-V1 (Traditional Residential – Varied 1 district) to amended PD-GDP-SIP (Planned Development – General Development Plan – Specific Implementation Plan district) to the Common Council with a recommendation of approval. Finally, the Planning Division recommends that the Plan Commission find that the demolition standards are met and approve the request to demolish place of worship at 2165 Linden Avenue and forward the Certified Survey Map to Common Council with a recommendation of approval. All recommendations are subject to input at the public hearing and the conditions from reviewing agencies found in this report.

## Background Information

**Parcel Location:** The existing parcel at 2165 Linden Avenue is 20,520 square feet (0.47 acres) and located on the south side of Linden Avenue between Division Street and Dunning Street. The site is within Aldermanic District 15 (Alder Foster) and the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The subject property is currently developed with a one story church building constructed in 1968 and a parking lot, zoned TR-V1 (Traditional Residential – Varied 1 district).

**Surrounding Land Uses and Zoning:**

- West: Across Division Street, single-family residences zoned TR-V1 (Traditional Residential – Varied 1 district);
- South: Single-family residences zoned TR-V1 and TSS (Traditional Shopping Street District), and a four-story mixed-use building and small commercial buildings, all zoned TSS;
- East: Across Dunning Street, one- and two-family residences zoned TR-V1; and
- North: Across Linden Avenue, one- and two-family residences zoned TR-V1;

**Adopted Land Use Plans:** The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) land uses for the site. The [Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan](#) (2000) provides no recommendations for the site. An amendment to the neighborhood plan ([Legistar ID 69937](#)) is under consideration simultaneously with the land use application requests and recommends residential redevelopment of the church site of no more than three stories and 70 dwelling units per acre.

**Zoning Summary:** The proposed lot is currently zoned TR-V1 is requesting amended PD-GDP-SIP zoning.

Zoning Criteria	Required	Proposed
Lot Area (sq. ft.)	As per approved plan	As per submitted plan
Lot Width	As per approved plan	As per submitted plan
Front Yard Setback	As per approved plan	As per submitted plan
Side Yard Setback	As per approved plan	As per submitted plan
Rear Yard Setback	As per approved plan	As per submitted plan
Usable Open Space	As per approved plan	As per submitted plan
Maximum Lot Coverage	As per approved plan	As per submitted plan
Floor Area Ratio	As per approved plan	As per submitted plan
Building Height	As per approved plan	As per submitted plan

Site Design	Required	Proposed
Number Parking Stalls	As per approved plan	44 (4)
Accessible Stalls	Yes	Yes
Loading	As per approved plan	As per submitted plan
Number Bike Parking Stalls	Multi-family dwelling: 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (32) 1 guest space per 10 units (3) (35 total)	32 underground 4 surface (36 total)
Landscaping and Screening	Yes	Yes (5-7)

Lighting	Yes	Yes
Building Forms	As per approved plan	As per submitted plan (8)

<b>Other Critical Zoning Items</b>	Urban Design (PD), Barrier Free (ILHR 69) Utility Easements	
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*Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator*

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

**Public Utilities and Services:** The site is served by a full range of urban services.

## Project Description

The applicant has requested approval of an amendment to the existing Planned Development District-General Development Plan-Specific Implementation Plan (PD GDP-SIP) at 2165 Linden Avenue to allow for the development of a three-story multi-family residential building with structured lower-level parking.

Due to declining membership of the Zion Faith Community, the existing building is no longer needed by the congregation. The Zion congregation has merged with Lakeview Moravian Community Church and will be basing their activities out of the Lakeview Moravian facility. The existing one story church building was constructed in 1968. [Photos](#) provided by the applicant do not indicate any structural issues. Planning staff have not inspected the existing building.

The proposed building has 32 dwelling units that consist of 12 studios, 10 one-bedroom units, and 10 two-bedroom units. The primary lobby entrance is located on the east facade on Dunning Street. Two secondary entrances are located on the north Linden Avenue facade, and a pedestrian/bicycle door is located near the vehicle entrance door on the south facade. One first-floor unit on Dunning Street, two units on Division Street, and four units on Linden Avenue all have private stoops and entrances.

The structure appears to be designed to resemble attached rowhouses. The proposed building has as a two-story façade along its long axis on Linden Avenue with the third floor set back on all street-facing sides of the property. The lower two building levels are in the same plane and include projecting balconies that extend entirely beyond the front of the building. Along Linden Avenue, the building setback is just under eight feet and projecting balconies encroach into these setbacks. In addition to the balconies, there is unstructured open space along the western and southern facades. Primary facade materials are composite lap siding in four colors and two colors of brick veneer. Trim and accent materials include an additional composite lap siding color; composite trim, windows, and soffits; cast stone bands and sills; aluminum storefront units; and wood accents.

A single level of structured parking includes 44 vehicle stalls and 32 bicycle parking stalls. Because the site slopes down from east to west, the lower-story structured parking is exposed about three feet above grade on the east end of the building, but is extends nearly eight feet above grade on the west end. A terraced retaining wall and landscaping is used to screen this wall and provide a transition to the sidewalk. Access to structured parking is located along the south side of the building and utilizes a shared access easement between the neighboring properties to the south with access from Dunning Street and Atwood Avenue.

Landscaping is primarily shrubs, perennials, and decorative grasses around the base of the building and within the retaining walls at the western portion of the site.

If approved, the applicant intends to begin construction in early autumn 2022, with completion and occupancy in summer 2023.

## Analysis

This request is subject to the Demolition Permit [§28.185(7) MGO], Zoning Map Amendment [§28.182(6) MGO], and Planned Development district standards [§28.098(2) MGO] of the Zoning Code. The analysis below begins with a summary of the adopted plan recommendations as the specific approval standards reference these documents. The analysis will then consider the zoning map amendment standards, Planned Development district standards, and end with the demolition permit standards.

### Conformance with Adopted Plans and Proposed Plan Amendment

The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) land uses for the site. The LR designation is predominantly made up of single-family and two-unit structures, though some LR areas may include smaller three- and four-unit apartment buildings and rowhouses. Residential development is generally expected to be up to two stories and at densities of not more than 15 dwelling units per acre. The [Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan](#) (2000) provides no specific redevelopment recommendations for the site. At the time, it was assumed the congregation and, subsequently, the church building would remain.

An amendment ([Legistar ID 69937](#)) to the [Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan](#) is under consideration simultaneously with the land use application requests. The amendment notes that as places of worship such as Zion Lutheran Church, schools, and other institutions near the ends of their useful lives, many of these sites may be optimal for adaptive reuse or redevelopment with residential uses. These sites are often embedded in residential areas, and are typically larger than most surrounding residential lots, making them good candidates for larger and/or more intensive residential development. Specifically, regarding the redevelopment of the Zion Lutheran Church at 2165 Linden Avenue, the draft plan amendment recommends residential redevelopment of the site with no more than three stories and 70 dwelling units per acre. Further, transitions shall be made between the redevelopment and existing development for this redevelopment proposal, as well as future proposals on similar properties in which greater height is proposed than the surrounding residential development.

This amendment provides additional site-specific policy support for the development and if adopted, Staff believe the proposal will be consistent with adopted plans.

### Zoning Map Amendment Standards

Staff believes that the Zoning Map Amendment standards can be found met if the neighborhood plan amendment is approved. These standards, found in 28.182(6), M.G.O. state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the [Comprehensive Plan](#), and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City's [Comprehensive Plan](#). 2010 Wisconsin Act 372 clarified "consistent with" as "further or does not contradict the objectives, goals, and policies contained in the comprehensive plan." While the proposed residential development is somewhat more intense than the LR designation in the [Comprehensive Plan](#), the proposal is within the height and density recommendations of the neighborhood plan amendment currently under

consideration. If the plan amendment is approved, staff believe the standards for zoning map amendments can be found to be met.

### **Planned Development Standards**

Planned Developments are intended to facilitate the development of land in an integrated and innovative fashion, to allow for flexibility in site design, and to encourage development that is sensitive to environmental, cultural and economic considerations. The resultant development should feature high-quality architecture and building materials. Specific design objectives include promoting green building technologies, integrated land uses, preservation and enhancement of environmental features, preservation of historic buildings, enhanced open space, and the facilitation of high-quality development consistent with adopted plans. See Zoning Code Section 28.098(1) for further information. The specific approval standards for Planned Developments are provided in Section 28.098(2) of the Zoning Code. Staff provide additional discussion on the following standards.

Standard (a) states, in part, that, the applicant shall demonstrate that *“No other base zoning district can be used to achieve a substantially similar pattern of development. Planned developments shall not be allowed simply for the purpose of increasing overall density or allowing development that otherwise could not be approved unless the development also meets one or more of the PD objectives”* of Section 28.098(1). Several conventional zoning districts would permit a building of similar use and size. The TR-U2 district would permit a greater residential density and the TR-U1 district would permit only a slightly smaller number of dwelling units (27). Both TR-U districts and both TR-V districts would permit the proposed building height. However, the building setback as shown in the proposed plans are somewhat smaller than what would be allowed in these districts. The NMX district would allow a similar scale of development, but would introduce commercial uses to the residential portion of the block and neighborhood. Staff also notes that such conventional districts could arguably allow for buildings of a similar use and size, districts allowing this density would also likely allow for greater density and height than what is allowed in the current plans or proposed amendment.

The applicant has indicated that they believe the sustainability features of the proposed building design satisfy sustainability objective (a) required in Planned Development standard (a): *Promotion of green building technologies, low-impact development techniques for stormwater management, and other innovative measures that encourage sustainable development.* The applicant has identified the aim to achieve this objective by pursuing passive house and net-zero-ready standards of construction and building performance for the proposal. According to the applicant, passive house construction can reduce energy use by up to 70-80% and passive house buildings can attain net-zero energy use when combined with photovoltaic installations. The applicant has indicated they have hired a passive house consultant to work with the architect and contractor. At its April 13, 2022 meeting, the Urban Design Commission noted that its approval recommendation is primarily anchored by the proposed achievements for the sustainability features regarding the passive house design. Regarding the aforementioned low-impact development techniques for stormwater management, the applicant has indicated the intent to provide full compliance with the new stormwater standards, construction of a rain garden at the northwest corner of the property, and a green roof system on the third floor of this building.

Planned Development Standard (e) states that, *“The PD District plan shall coordinate architectural styles and building forms to achieve greater compatibility with surrounding land uses and create an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose of the PD District.”* In the [staff report](#) to the Urban Design Commission, Planning Division staff noted several design considerations related this standard including:

- Building Scale, Massing, Setbacks, and Modulation
- Exposed Lower Level due to grade changes across the site
- Façade Composition and Materials
- Sustainability Features; and Adequacy of Useable Open Space.

In regards to the building's setback along Linden Avenue, it is proposed to be less than eight feet, which is less than what would be allowed in conventional residential zoning districts. In review of this request, acknowledging the project's sustainability measures, the UDC recommended in support of the proposed setbacks along Linden Avenue and acknowledged the building's lack of modulation, which staff understands has been reduced to achieve passive house design standards. Please see the below section for additional information.

Planned Development district standard of approval (f) states, in part, that *"The PD District plan shall include open space suitable to the type and character of development proposed, including for projects with residential components, a mix of structured and natural spaces for use by residents and visitors. Areas for stormwater management, parking, or in the public right of way shall not be used to satisfy this requirement."* Submitted plans show 32 private balconies comprising approximately 1,920 square feet of open space. An additional 1,411 square feet of unstructured open space is designated along the western and southern facades in an L-shaped area approximately 100 feet long along one leg and 40 feet along the other leg, with a width of approximately only 12 feet. Staff has concerns that as this area is narrow, includes slopes of up to 4:1 (which would not be permitted as usable open space in a conventional district – the steepest allowable slopes are 10:1), and the short leg of the area is landscaped with shrubs and switch grass, it is not a truly useable open space area. Staff notes that in PD districts, there is no stated minimum required useable open space, but in comparable conventional districts, the minimum useable open space required varies from 40 to 160 square feet per dwelling unit, or a total of 1,280 to 5,120 square feet for 32 dwelling units.

### **Urban Design Commission Recommendation**

At its April 13, 2022 meeting, the UDC on a 4-2 vote, provided a recommendation of "initial" approval on this request. As part of the long-standing practice of that body, "initial" approval indicates that the UDC supported the primary components of this project, including considerations related to site plan, setbacks, as well as building height and massing. Such a recommendation indicates that while the body is supportive of the concept, specific details are recommended to return to UDC for a final review.

The specific recommendations and findings made as part of the UDC motion included the following:

- The approval recommendation is primarily anchored by the proposed achievements for the sustainability features.
- The UDC recommendation supports the proposed building scale, massing, setback and modulation. Considering building modulation, the UDC acknowledges concerns regarding the lack of modulation/articulation and wanting more dynamism, but believes that bigger priorities, including sustainability should be considered. UDC supports the commitments to sustainability, which will be further scrutinized under a review for Final Approval.
- Initial Approval supports the proposed north side (Linden Avenue) setback which may be closer to the street than what the UDC typically likes to see. The recommendation noted that this shows a preference

for urban infill for much needed housing, recognizing that these urban developments aren't always going to be as cohesive with their neighboring buildings and support the setback for this project.

- The recommended approval generally supports the proposed exposed lower level.
- The recommended approval generally supports the proposed usable open space.
- Want to see a strong focus on details and particular refinement of the façade composition and materials for the next round of seeing this project.
- Note a desire, if possible, to provide healthy planting of the terrace that could be cohesive with and support added mature greenery\* (\*staff note, terrace plantings are not under the jurisdiction of the UDC or Plan Commission).

With the UDC's recommendation, an approval condition has been added noting that "final" UDC approval occur prior to final sign-off and the issuance of permits. While multiple planned developments have been approved as such, should the Plan Commission believe that a final recommendation from the UDC is necessary in order to make a definitive finding on the standards, the Commission could refer this in order to receive a final recommendation from the UDC prior to making a finding regarding these standards. However, staff note (as detailed in the UDC report) an original motion to refer that item back to the UDC for further information was not approved. Based on the comments of the UDC, the expected final approval details relate to the applicant providing additional information related to sustainability efforts and further refinement of the overall façade composition and materials. No changes were recommended regarding massing, setbacks, or height. A link to the final UDC report [can be found here](#).

### **Demolition Permit Standards**

In order to approve a demolition request, M.G.O §28.185(7) requires that the Plan Commission must find that the requested demolition and proposed use are compatible with the purpose of the demolition section of the zoning code and the intent and purpose of the PD (Planned Development) Zoning District, which have been included in the analysis above. The demolition standards state that the Plan Commission shall consider and may give decisive weight to any relevant facts including impacts on the normal and orderly development of surrounding properties and the reasonableness of efforts to relocate the building. Furthermore, the proposed use following demolition or removal should be compatible with adopted neighborhood plans and the Comprehensive Plan. The demolition standards also state that the Plan Commission shall consider the report of the City's Historic Preservation Planner regarding the historic value of the property as well as any report submitted by the Landmarks Commission. At the January 10, 2022, meeting, the Landmarks Commission found that the building at 2165 Linden Avenue has no known historic value due to a lack of information, but it is an unfortunate loss of Midcentury architecture. The Planning Division believes that the Plan Commission could find the standards for demolition met with the request to raze the existing building.

### **Certified Survey Map**

The applicant has submitted an associated Certified Survey Map to create a lot for the proposed residential building, which will be forwarded to the Common Council if the Plan Commission forwards the PD amendment to Council with a recommendation to approve.

## Conclusion

The applicant has requested approval of a demolition permit to raze a vacant place of worship, approval of a zoning map amendment from TR-V1 (Traditional Residential – Varied 1 district) to amended PD-SIP (Planned Development – Specific Implementation district) to construct a three-story residential building with 32 dwelling units and 44 structured parking stalls, and approval of a Certified Survey Map to dissolve underlying lot lines.

Staff notes that while existing plans recommend residential development for the site, the scale of the proposed building is larger than what is generally recommended in the Comprehensive Plan. A site-specific amendment to the Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan is under concurrent consideration which would provide additional policy support for a building of this scale and density at this location.

In regards to the PD Zoning, Staff emphasize that the Plan Commission should make clear and specific findings on all the relevant standards and cite reasons they are or are not supported. In this report, Staff has raised multiple considerations related to various PD approval standards, namely standards, (a), (e), and (f).

Regarding standard (a) related to the utilization of PD zoning, this report notes that the TR-U1 zoning district could allow for a similar development pattern, though only 27 units would be allowed compared to the 32 that are proposed. Other conventional districts could be established to achieve a similar development pattern, though such districts would also establish zoning that could allow for greater density, height, or possibly other uses (as either permitted or conditional uses) beyond what is recommended in existing plans or the proposed plan amendment. Staff understands that the applicant is citing compliance with sustainability objective (a) to justify the use of PD zoning as it applies to this standard considering its commitment to passive house and other sustainability efforts.

Standard (e) requires a finding regarding whether the development's *aesthetic desirability is compatible with the existing or planned character*. In the initial report to the UDC, staff noted several considerations related to building design and siting that were evaluated by that body. The UDC provided these comments and recommended initial approval of this application.

Regarding standard (f) related to open space, staff has expressed concerns about the size and quality of the useable open space provided, though staff notes there is not a required minimum area that must be provided. The UDC also provided a favorable recommendation on this aspect of the plan.

Careful consideration should be given to these and all applicable standards in evaluating this request. Planning Division staff believe that it may be possible that the Plan Commission could find the applicable standards for Zoning Map Amendments and Planned Developments met with this proposal, subject to the adoption of the neighborhood plan amendment, the conditions listed below, and a final review by the Urban Design Commission. Further, the Planning Division believes the standards for demolition permits and certified survey maps can be met.

Staff notes that if the Plan Commission makes alternative findings to the those outlined in this conclusion and the recommendation below, that the Commission state clear findings and reasons in its motion.



## Recommendation

### Planning Division Recommendation (Contact Colin Punt, 243-0455)

The Planning Division first recommends that the Plan Commission consider the Schenk-Atwood-Starkweather-Worthington Park neighborhood plan amendment ([Legistar ID 69937](#)) and if supportive, make a recommendation to Common Council for adoption. The Planning Division further recommends that if the Commission makes a recommendation for adoption of the plan amendment and if the Plan Commission can find that the standards for Planned Developments are met, then it should forward Zoning Map Amendment IDs 28.022-00560 and 28.022-00561, rezoning 2165 Linden Avenue from TR-V1 (Traditional Residential – Varied 1 district) to amended PD-GDP-SIP (Planned Development – General Development Plan – Specific Implementation Plan district) to the Common Council with a recommendation of approval. Finally, the Planning Division recommends that the Plan Commission find that the demolition standards are met and approve the request to demolish place of worship at 2165 Linden Avenue and forward the Certified Survey Map to Common Council with a recommendation of approval. All recommendations are subject to input at the public hearing and the following conditions from reviewing agencies:

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

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

1. The Planned Development-General Development Plan- Specific Implementation Plan shall not be recorded and building permits shall not be issued until the Urban Design Commission grants final approval and determines that the standards for Planned Development design objectives listed in Sections 28.098(1) and (2) and other requirements of the Sections 28.098(1) and (2) have been met. The applicant may appeal the Urban Design Commission's decision to the Plan Commission, which may affirm, reverse, or modify the Urban Design Commission's decision. As recommended by the UDC, the following items shall be addressed as part of final approval:
  - a. That final approval plans include details and refinement of the façade composition and materials.
  - b. That final approval plans provide additional information and commitments regarding sustainability

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

2. Section 28.185(9) 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](mailto: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) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
3. Work with Zoning and Planning staff to finalize the Zoning text for the proposed project.
4. Provide electric vehicle stalls per Section 28.141(8)(e) *Electric Vehicle Charging Station Requirements*. A minimum of 10% of the residential parking stalls (4 stalls) must be electric vehicle ready, and a minimum of 2% of the stalls (1 stalls) must be electric vehicle installed. Identify the locations of the electric vehicle ready and installed stalls on the plans.

5. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
6. Submit details for the third floor green roof areas.
7. Submit a rooftop plan showing the location of any proposed rooftop mechanical equipment and screening. All rooftop and ground level mechanical equipment and utilities shall be fully screened from view from any street or residential district per Section 28.142(9)(d). Provide a section and details if a screening enclosure is proposed.
8. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first sixty (60) feet from grade are comprised of less than fifty percent (50%) glass, at least eighty-five percent (85%) of the glass on glass areas fifty (50) square feet or over must be treated. Of all glass areas over fifty (50) square feet, any glass within fifteen (15) feet of a building corner must be treated. Identify which glass areas are 50 sq. ft. or greater and which glass areas will be treated. Provide a detail of the specific treatment that will be used.
9. 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.
10. 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. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

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

11. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
12. Construct sidewalk, terrace, curb & gutter & pavement along Dunning/Linden/Division to a plan as approved by City Engineer
13. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
14. 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))
15. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and

requirements.

16. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
17. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line: <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm>.  
The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or CARPC is required for this project to proceed.
18. 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)
19. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used. (POLICY AND MGO 10.29)
20. 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)
21. 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 100-yr design storm that is current in Madison General Ordinance Chapter 37. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. 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 P.E. or licensed Plumber that show this requirement has been met.
22. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.  
The Storm Water Management Plan & Report shall include compliance with the following:  
Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.  
Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO

37.09(2))

Rate Control: Reduce peak discharge rate by 15% compared to existing conditions during the 10-year storm event.

TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.

Volume Control: Provide onsite volumetric control reducing the total peak discharge from the site by 5% compared to existing conditions during the 10-year event.

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

23. The required additional 3 feet of street dedication adjacent to Division Street shall be provided on the pending Certified Survey Map.
24. The address of the proposed apartments is 252 Dunning St. 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.
25. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction or early start permit.
26. Submit a site plan and 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. Also, include a unit matrix for apartment buildings. 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 Addressing Plan shall be included in said application. For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved. For any changes or updates, the final approved Addressing Plan shall be submitted by the applicant to Zoning.

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

27. The applicant shall provide a detailed operation plan for the proposed stacked parking to be approved by City Traffic Engineer.
28. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.

29. 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.
30. 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.
31. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
32. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
33. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.
34. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
35. The applicant shall provide a clearly defined 5' walkway from the front door to the public Right of Way clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
36. The driveway slope to the underground parking is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.
37. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
38. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
39. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
40. The applicant shall prepare a TDMP (Traffic Demand Management Plan) to be reviewed and approved by the City Traffic Engineer. MGO (28.183(6)(a)(6)

41. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.
42. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along Division Street.

**Parks Division** (Contact Kate Kane, 261-9671)

43. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the East Park-Infrastructure Impact Fee district. Please reference ID# 22002 when contacting Parks about this project

**Forestry Section** (Contact Brad Hofmann, 267-4908)

44. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apperatus and street tree plan sets. The inventory shall include the following: location, size (diamater at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.
45. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the street tree plan set.
46. Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at (608) 266-4816. Penalties and remediation shall be required. Add as a note on the site, grading, utility, demolition, and street tree plan set.
47. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry at (608) 266-4816 prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website:  
<https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the site, grading, utility, demolition and street tree plan sets.
48. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction (website:

<https://www.cityofmadison.com/business/pw/specs.cfm>) addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on both the site and street tree plan sets.

49. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on both the site and street tree plan sets.
50. Street tree pruning shall be coordinated with City Forestry at a minimum of two weeks prior to the start of construction for this project. Contact City Forestry at (608)266-4816. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on both the site and street plan sets.
51. The Developer shall submit a Street Tree Report performed by International Society of Arboriculture Certified Arborist prior to the Plan Commission meeting for City Forestry's review of project. This report shall identify all street trees on proposed project site, species type, canopy spread, tree condition, proposed tree removals, the impacts of proposed construction, and any requested pruning.
52. The Developer shall post a security deposit prior to the start of the development to be collected by City Engineering as part of the Developers Agreement. In the event that street trees are damaged during the construction process, City Forestry will draw from this deposit for damages incurred.
53. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan and street tree planting plan shall be submitted in PDF format to City Forestry for approval of planting locations within the right of way and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note on both the landscape and street tree plan sets: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.

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

54. 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.

55. 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.

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

56. Metro Transit operates daily all-day transit service along Atwood Avenue south of this property at Division Street - with trips at least every 30 minutes.

*The Fire Department has reviewed this request and have recommended no conditions of approval.*