## PLANNING DIVISION STAFF REPORT

**December 2, 2024**

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| **Project Addresses:** | **4303 Portage Road** |
| **Application Type:** | Demolition Permit, Zoning Map Amendment, and Conditional Use |
| **Legistar File ID #** | 86025, 84607 and 84010 |
| **Prepared By:** | Chris Wells, Planning Division<br>Report includes comments from other City agencies, as noted |
| **Reviewed By:** | Kevin Firchow, Planning Division |

## Summary

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|---|---|
| **Applicant & Contact:** | Nick Patterson; Sandburg Holdings, LLC; 1818 Parmenter Street; Middleton, WI 53562 |
| **Property Owner:** | Terrance Wall; 1818 Parmenter Street; Middleton, WI 53562 |

**Requested Actions:**

- ID 86025 – Consideration of a demolition permit to demolish a single-family residence at 4303 Portage Road;
- ID 84607 – Consideration of a request to rezone 4303 Portage Road from the Temporary TR-U1 (Traditional Residential-Urban 1) District to the TR-U1 (Traditional Residential-Urban 1) District;
- ID 84010 – Consideration of a conditional use in the [Proposed] Traditional Residential-Urban 1 (TR-U1) District for a multi-family dwelling with greater than 60 units to allow construction of a three-story, 65-unit apartment building at 4303 Portage Road.

**Proposal Summary:** The applicant is seeking approvals to construct a three-story, 65-unit apartment building following the demolition of a single-family residence on the site.

**Applicable Regulations & Standards:** MGO Section 28.185 provides the process and standards for the approval of demolition and removal permits. MGO Section 28.182 of the Zoning Code provides the process for zoning map amendments. MGO Section 28.183(6) provides the approval standards for Conditional Uses which are triggered as Table 28C-1 in MGO Section 28.032 states that in the [Proposed] TR-U1 (Traditional Residential-Urban 1) District, a conditional use is required for a multi-family dwelling with greater than 60 dwelling units.

**Review Required By:** Plan Commission and Common Council.

**Summary Recommendation:** The Planning Division recommends the following to the Plan Commission:

- That the Plan Commission find that the standards for demolition permits are met to **approve** the demolition of a single-family residence located at 4303 Portage Road;
- That the Plan Commission forward Zoning Map Amendment ID 28.022-00685, rezoning 4303 Portage Road from Temporary TR-U1 to TR-U1, to the Common Council with a recommendation of **approval**; and
- That the Plan Commission find the standards for conditional uses are met to **approve** a three-story, 65-unit apartment building, subject to input at the public hearing and the conditions from reviewing agencies beginning on **page 7**.

## Background Information

**Parcel Location:** The 65,027-square-foot (1.49-acre) parcel is located on the east side of Portage Road, to the north of the intersection with Di Loreto Avenue. It is also located in Alder District 17 (Madison) and the DeForest Area School District.

**Existing Conditions and Land Use:** The site is developed with a one-story residence, pole barn, and small shed. The parcel is zoned Temporary TR-U1 (Traditional Residential-Urban 1) District.

**Surrounding Land Uses and Zoning:**

North: Single-family residences and agricultural buildings in the Town of Burke;

South and East: Currently vacant, a residential building complex was approved in 2023 consisting of 483 apartments in five four- and five-story buildings Traditional Residential-Urban 1 (TR-U1) District (Legistar File IDs 73382 and 73801); beyond which is Interstate 39/90/94; and

West: Across Portage Road are single-family residences in the Churchill Heights subdivision and Churchill Heights Park, zoned SR-C2 (Suburban Residential–Consistent 2 District).

**Adopted Land Use Plans:** The 2023 Comprehensive Plan and 2024 Northeast Area Plan both recommend Medium Residential (MR) which they describe as 20-90 dwelling units per acre and 2-5 stories.

**Zoning Summary:** The subject site will be zoned TR-U1 (Traditional Residential-Urban 1 District), which will be reviewed in the following sections.

| Requirements | Required | Proposed |
|---|---|---|
| Lot Area (sq. ft.) | 750 sq. ft./d.u.<br>(48,750 sq. ft.) | 65,027 sq. ft. |
| Lot Width | 50’ | 204.81’ |
| Front Yard Setback | 15’ or average | 22.05’ |
| Max. Front Yard Setback | 30’ or up to 20% greater than block average | 22.05’ |
| Side Yard Setback | 10’ | 19.99’ north side<br>54.55’ south side |
| Rear Yard Setback | Lesser of 25% lot depth or 25’ | 49.0’ |
| Usable Open Space | 160 sq. ft./d.u.<br>(10,400 sq. ft.) | Adequate<br>*(See comment #42)* |
| Maximum Lot Coverage | 75% | 65.4% |
| Maximum Building Height | 5 stories/65’ | 3 stories/<65’ |

| Site Design | Required | Proposed |
|---|---|---|
| Number Parking Stalls | Multi-family dwelling: 1 per dwelling (65) | 34 garage<br>30 surface<br>(64 total) |
| Electric Vehicle Stalls | EV Ready: 10% (6) | 4 EV Ready<br>1 EV Installed *(See comment #43)* |
| Accessible Stalls | Yes | Yes |
| Loading | Not required | None |
| Number Bike Parking Stalls | Multi-family dwelling: 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (65) | 65 garage<br>7 surface |

| | | |
|---|---|---|
| | 1 guest space per 10 units (6)<br>(71 total) | (72 total)<br>*(See comment #44 & #45)* |
| Landscaping and Screening | Yes | Yes *(See comment #46)* |
| Lighting | Yes | Yes |
| Building Form and Design | Yes | Large multi-family building |

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

*Tables 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:** This property is served by a full range of urban services. Metro Transit currently operates daily all-day transit service along Hayes Road near this property - with trips at least every 30 minutes.

## Project Description

The applicant is requesting approval of a demolition permit to demolish a single-family residence, approval of a zoning map amendment to rezone the property from the Temporary TR-U1 (Traditional Residential-Urban 1) District to the TR-U1 (Traditional Residential-Urban 1) District, and approval of a conditional use for a multi-family dwelling with greater than 60 units – to allow construction of a three-story, 65-unit apartment building at 4303 Portage Road.

Regarding the structure proposed for demolition, the applicant has submitted photos of the structure and notes it has been vacant for over a year and is in disrepair. Planning Division Staff has not inspected the building.

After demolishing the subject building, the applicant proposes to construct a three-story, 65-unit "L"-shaped multi-family apartment building (Here is a link to the latest plan set which was submitted on November 4, 2024 and reviewed by City agencies). The proposed building will have 42 studios, 20 one-bedroom units, and 3 two-bedroom units. While the building will have a resident entrance facing Portage Road, the primary entrance will be located near the inside bend of the "L", on the south façade. The entry to the underbuilding parking, also located along this south façade, will be accessed from Portage Road via the drive aisle which runs along the south of the building. This tray of underbuilding parking will contain 34 automobile stalls and 77 long-term bicycle stalls. Another 30 surface automobile stalls are located to the south of the building.

Regarding exterior materials, the building will be primarily clad with corrugated metal paneling, dry stacked stone, and cedar- and white-colored fiber cement siding. Large exposed timbers will be used to create a heightened feature at the building's southwest corner.

Regarding site elements, a large stormwater detention area will run along the eastern property line.

## Analysis

MGO Section 28.185 provides the process and standards for the approval of demolition and removal permits. MGO Section 28.182 of the Zoning Code provides the process for zoning map amendments. MGO Section 28.183(6) provides the approval standards for Conditional Uses which are triggered as Table 28C-1 in MGO Section 28.032 states that in the [Proposed] TR-U1 (Traditional Residential-Urban 1) District, a conditional use is required for a multi-family dwelling with greater than 60 dwelling units.

**Conformance with Adopted Plans**

The 2023 Comprehensive Plan and 2024 Northeast Area Plan both recommend Medium Residential (MR) which they describe as 20-90 dwelling units per acre and 2-5 stories.

The 65 proposed units on the 1.5-acre site equates to 43.3 dwelling units per acre which is well within the recommended density range. As is the proposed height of three stories. Therefore, staff believe the proposal is consistent with adopted plan recommendations.

**Demolition Permit Standards**

At its October 5, 2021 meeting, the Common Council adopted Ordinance 21-00065 (ID 67074) to revise the standards and process for demolition and removal permits in Section 28.185 of the Zoning Code to remove consideration of proposed future use as a factor in approving demolition requests. The Plan Commission shall consider the seven approval standards in §28.185(9)(c) M.G.O. when making a determination regarding demolition requests and find them met in order to approve. The factors include a finding that the proposed demolition or removal is consistent with the statement of purpose of the demolition permits section and with the health, prosperity, safety, and welfare of the City of Madison. The statement of purpose in Section 28.185 states, in part:

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

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

Standard 1 states that "*the applicant has included information related to any efforts to relocate the building, including but not limited to assessing the costs of relocation, the impact of relocation on city terrace trees, and the structural soundness of the building."* In submitted materials, the applicant notes that Sandburg Holdings researched a relocation of the structure but "*unfortunately the building is structurally unsound. Relocation of the structure would be a danger as we would risk the structure falling in on itself during transportation.*"

Staff also makes note of Standard 4, "*That the Plan Commission has received and considered the report of the City's Historic Preservation Planner regarding the historic value of the property as well as any report that may be submitted by the Landmarks Commission."* At its November 11, 2024 meeting, the Landmarks Commission found that the existing building at 4303 Portage Road has no known historic value.

Planning Division staff believe all other standards of approval can be found met or are not applicable to this request.

**Zoning Map Amendment Standards**

Staff believes that the Zoning Map Amendment standards can be found met. These standards state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City's Comprehensive Plan. 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan." As noted above, Staff believes that the project is consistent with the Comprehensive Plan and Northeast Area Plan.

**Conditional Use Standards**

The Conditional Use approval standards state that the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of MGO §28.183(6) are met. Please note, recent changes to state law requires that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation. Staff provides additional discussion on the following standards.

Standard 5 states, "*Adequate utilities, access roads, drainage, internal circulation improvements for pedestrians, bicyclists, public transit and vehicles, parking supply (in cases with minimum parking requirements) and other necessary site improvements have been or are being provided*." Staff note that Engineering has submitted a condition of approval stating "*This development is contingent on the extension of the public improvements (storm sewer, sanitary sewer, and water) as outlined in the Developer's Agreement (Private Contract No. 9310) for the project known as 4205 Portage Road CSM Phase 1, which was approved by the Board of Public Works on 8/23/2023 and Council on 9/5/2023 (via Resolution RES-23-00550) (Legistar File 79423).*" Staff note that the applicant is the same developer as for the large development (483 apartments in five buildings with pool and clubhouse) directly adjacent to the south and east at 4205 Portage Road (Legistar File IDs 73382 and 73801) which was approved in January of 2023. The proposed building at 4303 Portage Road is reliant on the extension of the public utilities as noted in the Developer's Agreement described in Engineering's condition (see Image 1 below). With this project the applicant will be required to enter into an additional Developer's Agreement to further extend the utilities further north in order to serve the proposed building at 4303 Portage Road.

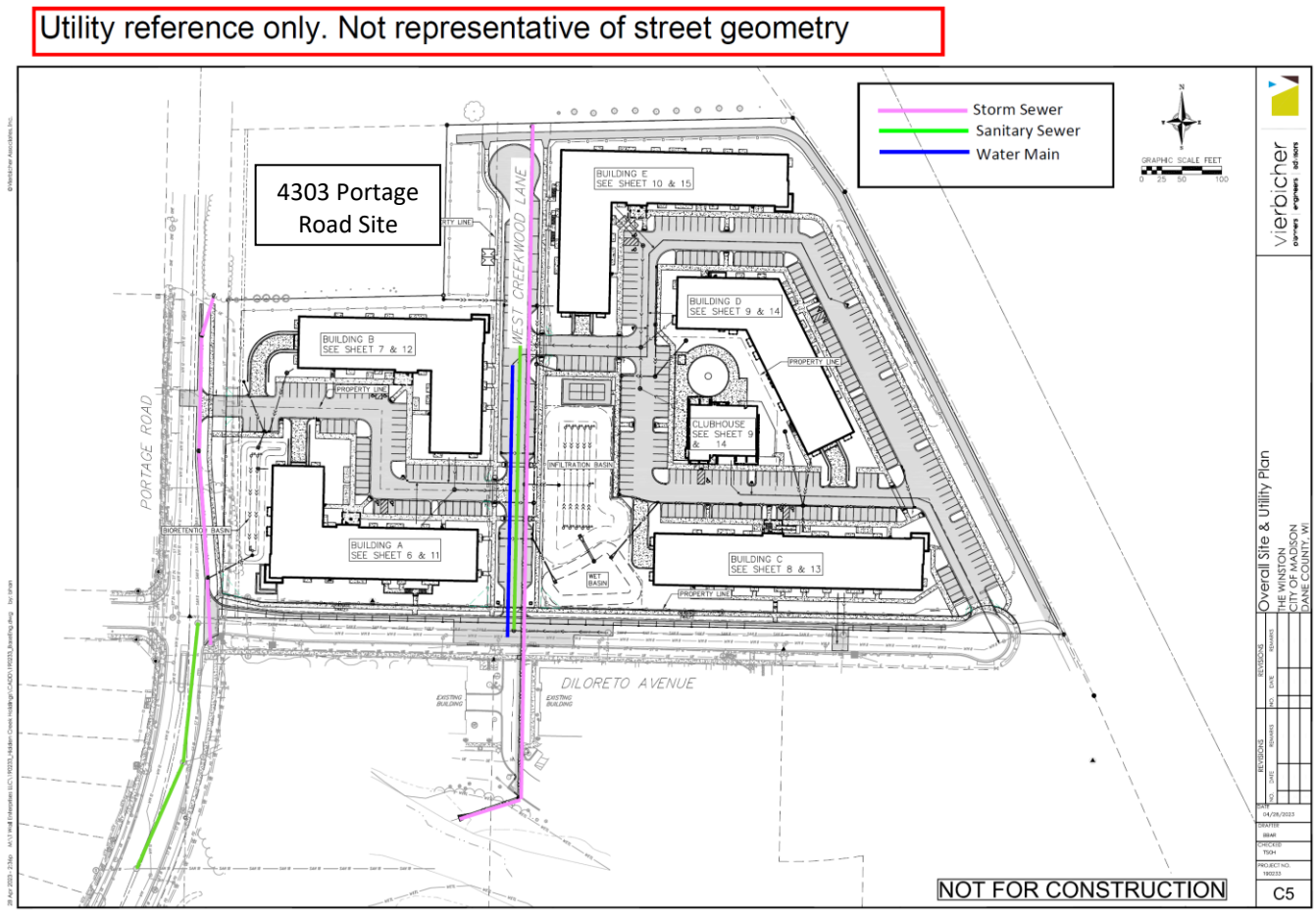


***Image 1: Exhibit Showing the Extension of the Public Improvements as part of the Developer's Agreement for the project known as 4205 Portage Road CSM Phase 1 (Contract No. 9310, Project No. 14637) (from Legistar File 79423)***

Staff believe Approval Standard 5 can be found met given the formal agreement in place to ensure that the public improvements (utilities) will be extended north to allow the proposed building to connect to them.

Otherwise, on balance, staff believes that the Conditional Use Standards can be found met subject to input at the public hearing and comments from reviewing agencies. The uses, values and enjoyment of other property in the neighborhood for purposes already established should not be substantially impaired or diminished in any foreseeable manner by the project. Coming from the same architecture firm and of similar size and massing, Staff feels that the proposed residential building will fit in nicely with the large residential building complex approved to the south. Staff do note that the proposed building will not be cross connected with this larger development. It will take sole access from Portage Road.

**Public Input**

At time of writing, Staff have received a public comment concerning people apparently breaking into the single-family residence on the site which has been vacant for months. The issue has been reported to Building Inspection for further investigation.

## Conclusion

The applicant is requesting approval of a demolition permit, zoning map amendment to rezone the 1.49-acre parcel from the Temporary TR-U1 District to the TR-U1 District; and conditional use approvals to facilitate redevelopment of the site with a 15-story, 189-unit apartment building following demolition of a lodging house.

The Planning Division believes that the Plan Commission may find that the proposed development meets the various standards for approval. Staff believes the proposed demolition meets the standards of approval. Staff also believes the proposed building is consistent with the density and height recommendations of the Comprehensive and Northeast Area Plans and therefore that it meets the Zoning Map Amendment standards of approval. As for the conditional use approval standards, while storm sewer and sanitary sewer do not presently extend up to the subject site for the proposed building to tie into, Staff note that there is an approved Developer's Agreement which requires this extension (notably by the same developer as they are also doing the large residential development proposed immediately to the south) (please see the previous section for more information). As such, staff believe this and all other conditional use approval standards can be found met. Staff believe the proposed building will fit into the local context and that the uses, values and enjoyment of other property in the neighborhood for purposes already established should not be substantially impaired or diminished in any foreseeable manner by the project.

## Recommendation

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

The Planning Division recommends the following to the Plan Commission:

- That the Plan Commission find that the standards for demolition permits are met to **approve** demolition of a single-family residence located at 4303 Portage Road;
- That the Plan Commission forward Zoning Map Amendment ID 28.022-00685, rezoning 4303 Portage Road from Temporary TR-U1 to TR-U1, to the Common Council with a recommendation of **approval**; and
- That the Plan Commission find the standards for conditional uses are met to **approve** a three-story, 65-unit apartment building, subject to input at the public hearing and the conditions from reviewing agencies.

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

**City Engineering Division** (Contact Brenda Stanley, (608) 261-9127)

1. This development is contingent on the extension of the public improvements (storm sewer, sanitary sewer, and water) as outlined in the Developer's Agreement (Private Contract No. 9310) for the project known as 4205 Portage Road CSM Phase 1, which was approved by the Board of Public Works on 8/23/2023 and Council on 9/5/2023 (via Resolution RES-23-00550) (Legistar File 79423).

2. 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)

3. Construct sidewalk/ path, terrace, curb and gutter and pavement along Portage Road to a plan as approved by City Engineer

4. Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat/csm. (MGO 16.23(9)(d)). Sanitary Sewer will be required to be extended to the north lot limits on the proposed Vive Drive and Portage Rd.

5. 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)

6. All outstanding City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. This property is subject to Sanitary Connection charges for the Portage Ave. Interceptor District $13.30/1000 sf (2024 rate) and the Portage Ave Interceptor Section 22 (rate $87.01/1000 sf of lot area)(8/2024 rate)

7. Provide proof of septic system abandonment from Public Health - Madison and Dane County as a condition of plan approval. Septic System abandonment application is available online at http://www.publichealthmdc.com/environmental/septage/

8. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.

9. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.

10. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.

11. 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.

12. Path shown along the northern property line shall be private. The City will not require a public path with an easement.

13. 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)

14. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.

    Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at https://dnr.wi.gov/topic/stormwater/publications.html

    Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.

15. 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 New Development: Detain the 2, 5, 10, 100, & 200 - year storm events, matching post development rates to predevelopment rates and using the design storms identified in Madison General Ordinances Chapter 37.

    Infiltration: Provide infiltration of 90% of the pre-development infiltration volume.

    TSS New Development: Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.

    Oil/Grease Control: Treat the first 1/2 inch of runoff over the proposed parking facility and/or drive up window.

    100-year Overflow: The applicant shall demonstrate that water can leave the site and reach the public ROW without impacting structures during a 100-year event storm. This analysis shall include reviewing overflow elevations and unintended storage occurring on site when the storm system has reached capacity.

    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.

16. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

**City Engineering – Mapping** (Contact Julius Smith, (608) 264-9276)

17. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, pedestrian access, landscaping, sanitary sewer, storm sewer and storm management that are necessary to accomplish the land division or site development as proposed prior to final sign off. The document(s) shall be executed and recorded prior to building permit issuance. Note some portions of this easement requirement is based on design that proposes to connect to public and private utilities that do not exist at this time, and there is no guarantee that they will exist on the timeframe that you propose do complete your development. Coordinate with adjacent development or propose revised designs.

18. Coordinate and request from the utility companies serving this area the easements required to serve this development.

19. Identify on the plans the lot and block numbers of recorded Certified Survey Map or Plat.

20. Provide a full and complete legal description of the site or property being subjected to this application on the site plan. Legal description has been provided but is not listed on the site plan.

21. Remove Bike Path connection along the north side of parcel as shown connecting to adjacent parcels shared drive entrance unless such a connection is privately desired and revise shared drive easement to allow for such a path or enter into new agreement/easement with all three parcels to allow for this path.

22. The address of 4303 Portage Rd will be inactivated and archived and moved to historic with the demolition of the house. The address of the proposed apartment building is 4307 Portage Rd. 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.

23. The apartment unit numbers on the submittal are not approved for use. Several apartment numbers are out of sequence.

    Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. 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 Site Plan Verification application materials or a revised plan shall provided for additional review and approval by Engineering.

    Per 34.505 MGO, a full copy of the approved addressing plan shall be kept at the building site at all times during construction until final inspection by the Madison Fire Department.

    For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved.

**Traffic Engineering Division** (Contact Luke Peters, (608) 266-6543)

24. 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.

25. 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.

26. 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.

27. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

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

29. 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.

30. 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.

31. 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.

32. All parking ramps as the approach the public Right-of-Way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the Right-of-Way. If applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.

33. 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.

34. The applicant shall provide a clearly defined 5' walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.

35. "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.

36. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.

37. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.

38. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.

**Parking Division** (Contact Trent W. Schultz, (608) 246-5806)

39. The applicant shall submit a Transportation Demand Management (TDM) Plan to tdm@cityofmadison.com. The TDM Plan is required per MGO 16.03. Applicable fees will be assessed after the TDM Plan is reviewed by staff.

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

40. Section 28.185(9)(b) requires that every applicant for a demolition or removal approval that requires approval by the Plan Commission is required to get a Reuse and Recycling Plan approved by the City Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9)(b) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for two (2) years from the date of the Plan Commission approval.

41. Verify that the dwelling unit, vehicle parking, and bicycle parking counts are shown consistently through the plan set.

42. Update the useable open space exhibit and calculation to exclude the area within the 15 foot front yard setback area. Usable open space is that portion of a zoning lot, outside of a required front or corner side yard, that is available to all occupants for outdoor use. Usable open space shall not include areas occupied by buildings, driveways, drive aisles, off-street parking, paving and sidewalks, except that paved paths no wider than five (5) feet, and pervious pavement may be included in usable open space. Usable open space may include balconies and roof decks where specified in this ordinance.

43. Provide electric vehicle ready stalls per Section 28.141(8)(e) Electric Vehicle Charging Station Requirements. A minimum of 10% of the parking stalls (6 stalls) must be electric vehicle ready. Identify the locations of the electric vehicle ready stalls on the plans.

44. Bicycle parking for the residential dwelling units shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11) and shall be designated as short-term or long-term bicycle parking. A minimum of 65 resident bicycle stalls are required plus a minimum of 6 short-term guest stalls. Up to twenty-five percent (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 rack to be installed.

45. Wall mount bicycle stalls are proposed that do not have a 5 foot wide access aisle. Submit a request for a bicycle parking adjustment per Section 28.141(5) including information to support the request.

46. Add a parking lot landscape island to the south row of parking stalls. A planting island shall be located at least every twelve (12) contiguous stalls with no break.

47. 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.

48. 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.

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

49. Provide fire apparatus access as required by IFC 503 2021 edition, MGO 34.503. The site plans shall clearly identify the location of all fire lanes and document hose lays and aerial access if required.

50. 11/14/24 - The revised plans have the building lobby not visible or clear from the street. The main point of entrance for fire dept access should be visible from the street. Provide additional information on access for fire and EMS crews. Signage to be provided and visible from the street. Verify compliance with Lori Zenchenko from Engineering Dept.

51. IBC 1028.5 The exit discharge from Stair #1 shall provide direct and unobstructed access to the public way. A maintained sidewalk should be provided as part of the path to the public way.

**Parks Division** (Contact Kathleen Kane, 608-261-9671)

52. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the North Park-Infrastructure Impact Fee district. Please reference ID# 24043 when contacting Parks about this project.

**Forestry Section** (Contact Jeffrey Heinecke, (608) 266-4890)

53. As defined by Madison General Ordinance 10.10, City Forestry will assess the full cost of the street tree installation to the adjacent property owner. City Forestry will determine street tree planting sites and tree species type. Street tree planting will be scheduled after there is substantial completion to the development.

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

54. The developer shall construct the public water distribution system and services required to serve the proposed subdivision plat/CSM per MGO 16.23(9)(d)(3).

55. All public water mains and water service laterals shall be installed by a standard City subdivision contract / City-Developer agreement. Applicant shall contact City Engineering Division to schedule the development of plans and the agreement. See Engineering Division comments for additional information.

**Metro Transit** (Contact Tim Sobota, (608) 261-4289)

56. Metro Transit operates daily all-day transit service along Hayes Road near this property - with trips at least every 30 minutes.

57. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 38 Weekday & 36 Weekend. Please contact Metro Transit if additional analysis would be of interest.