PLANNING DIVISION STAFF REPORT

March 3, 2025

Project Addresses:	**77 Sirloin Strip**
Application Type:	Demolition Permit, Zoning Map Amendment, and Conditional Use
Legistar File ID #	86732, 86990, and 86733
Prepared By:	Timothy M. Parks, Planning Division Report includes comments from other City agencies, as noted
Reviewed By:	Meagan Tuttle and Kevin Firchow, Planning Division

Summary

Applicant: Julian Walters, Eminent Development Company; No address given.

Contact Person: Steve Shulfer, Sketchworks Architecture; 2501 Parmenter Street, Suite 300A; Middleton.

Property Owner: Hanna's S&T, LLC; 4834 E Bingham Road; Milton.

Requested Actions:

- ID 86732 – Consideration of a demolition permit to demolish a restaurant at 77 Sirloin Strip;
- ID 86990 – Consideration of a request to rezone 77 Sirloin Strip from TR-V2 (Traditional Residential–Varied 2 District) to TR-U1 (Traditional Residential–Urban 1 District); and
- ID 86733 – Consideration of a conditional use in the [Proposed] TR-U1 (Traditional Residential-Urban 1 District) for a multi-family dwelling with greater than 60 units to allow construction of a four-story, 74-unit apartment building;

Proposal Summary: The applicant is seeking approvals to demolish a mixed-use building containing a restaurant and apartment to allow redevelopment of the 1.56-acre site with a four-story, 74-unit apartment building following rezoning of the site from TR-V2 to TR-U1. The applicant indicates that construction will commence in May 2026, with completion scheduled for July 2027.

Applicable Regulations & Standards: Section 28.182 of the Zoning Code provides the process for zoning map amendments. Table C-1 in Section 28.032(1) identifies a multi-family dwelling with greater than 60 units as a conditional use in the proposed TR-U1 (Traditional Residential–Urban 1) zoning district. Section 28.183 provides the process and standards for the approval of conditional use permits. Section 28.185 provides the process and standards for the approval of demolition and removal permits.

Review Required By: Plan Commission and Common Council.

Summary Recommendations:

The Plan Commission may find that that the standards for demolition permits are met to approve demolition of the mixed-use building located at 77 Sirloin Strip.

If the Plan Commission can find the standards are met, it may forward Zoning Map Amendment ID 28.022–00704, rezoning 77 Sirloin Strip from TR-V2 to TR-U1, to the Common Council with a recommendation of approval.

If the rezoning is approved, the Plan Commission may find that the standards for conditional uses are also met to approve construction of a four-story, 74-unit apartment building, subject to the conditions from reviewing agencies beginning on **page 10**.

Background Information

Parcel Location: A 1.56-acre (67,860 square-foot) parcel located on the north side of W Badger Road approximately midway between the Wisconsin & Southern Railroad and N Rusk Avenue; Alder District 14 (Knox); Madison Metropolitan School District.

Existing Conditions and Land Use: A one-story restaurant (El Pollo Rumbero, formerly the Hookah Lounge) and surface parking, zoned TR-V2 (Traditional Residential–Varied 2 District).

Surrounding Land Uses and Zoning: The subject site is bordered on the north and west by Madison Mobile Home Park, zoned PMHP (Planned Mobile Home Park District). The adjacent parcel to the east is mostly undeveloped land with the exception of a small surface parking lot and billboard, zoned TR-V2 (Traditional Residential–Varied 2 District). The West Beltline Highway (US Highways 12 and 18) is located immediately south of W Badger Road, which forms the southern edge of the subject site.

Adopted Land Use Plans: The 2023 Comprehensive Plan and 2022 South Madison Plan identify the subject site and adjacent undeveloped parcel to the east for Low-Medium Residential (LMR). The surrounding mobile home park is recommended for Low Residential (LR).

The South Madison Plan contains a specific recommendation that redevelopment of the subject site and the adjacent undeveloped parcel should be built into the hill, with the height of any new construction measured from the southeast corners of those properties and not from the top of the hill so that the development will not loom over the adjacent mobile home park.

Zoning Summary: The subject site will be zoned TR-U1 (Traditional Residential–Urban 1 District):

Requirements	Required	Proposed
Lot Area	750 sq. ft./unit (55,500 sq. ft.)	67,866 sq. ft.
Lot Width	50’	Greater than 50’
Minimum Front Yard Setback	15’	Adequate (See Zoning conditions)
Maximum Front Yard Setback	30’	
Side Yard Setback	10’	Adequate (See Zoning conditions)
Rear Yard	Lesser of 25% lot depth or 25’	Adequate (See Zoning conditions)
Maximum Lot Coverage	75%	70%
Usable Open Space	160 sq. ft./unit (11,840 sq. ft.)	Adequate (See Zoning conditions)
Maximum Building Height	5 stories/ 65’	4 stories/ 59.25’
Auto Parking	1 per dwelling unit (74 total)	82 enclosed/ garage; 15 surface (97 total)
Electric Vehicle (EV) Stalls	EV Ready: 10%; 10 stalls	0 (See Zoning conditions)
Accessible Stalls	Yes	Yes
Bike Parking	1 per unit up to 2-bedrooms, half-space per add. bedroom (75); 1 guest space per 10 units (7) (82 total)	To be determined (See Zoning conditions)
Loading	None	0
Building Forms	Large Multi-Family Building	Will comply (See Zoning Conditions)

Other Critical Zoning Items	
Yes:	Barrier Free, Utility Easements
No:	Urban Design, Transit-Oriented Development Overlay, Wellhead Protection, Waterfront Development, Wetlands, Floodplain, Adjacent to Park, Landmarks
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 subject site is currently served by a full range of urban services, including Metro Transit, which operates seven-day service with trips at least every 30 minutes along W Badger Road (Route G) past the site. Additional transit service is available east of the site on Route O along on N Rusk Avenue and W Badger Road. Additional daily all-day rapid transit service exists along S Park Street near this property, with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays and Saturdays). Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/ LEED Quality Access to Transit points: 101 weekday and 84 weekend. Please contact Metro Transit if additional analysis would be of interest.

Project Description

The applicant, Eminent Development, is requesting approval of a demolition permit to demolish a two-story mixed-use building at 77 Sirloin Strip adjacent to W Badger Road, which contains a restaurant and two-bedroom apartment, and to rezone the 1.56-acre parcel from TR-V2 to TR-U1 to facilitate redevelopment of the property with a four-story, 74-unit apartment building.

Photos of the interior and exterior of the mixed-use building are included in the materials submitted for the demolition permit. City records indicate that the building was constructed in 1960 and includes 3,764 square feet of floor area on the first floor, 1,056 square feet on a partial second floor, and a basement. The building is surrounded by surface parking. Detailed information on the condition of the building was not provided, though the letter of intent indicates that the building has “no significant value,” is “nearing the end of it’s [sic] useful life,” and “is not conducive to relocation or reuse.”

Most of the parcel sits above a rock outcropping that forms the southern and eastern edges of the property. There is approximately 20 to 25 feet of grade change between the southern edge of the parking lot and the public sidewalk adjacent to W Badger Road along the southern edge of the site; along the eastern side of the site, the grade steps down approximately 20 feet. A portion of the property includes a “panhandle” that parallels W Badger Road, which includes one of the two driveways that serves the subject site. The second driveway is located at the southeastern corner of the subject parcel and connects to “Circle Drive,” a private lane that extends along the northern and eastern property lines from Badger Road to provide access to the subject site and adjacent Madison Mobile Home Park, which surrounds the site on the north and west. Sirloin Strip is a private lane that parallels the western wall of the mixed-use building and extends north-south through the mobile home park. The mobile home park contains approximately 170 units arranged along a series of east-west private lanes.

The proposed apartment building will be a V-shaped four-story building with a west-facing courtyard. Unspecified tenant amenities will be located on the first floor adjacent to the entrance. The 74 dwelling units proposed will include eight (8) studio units, 47 one-bedroom units, 17 two-bedroom units, and two (2) three-bedroom units (per the letter of intent; the plans show 71 units, with only five (5) studios). Parking for 82 automobiles and 74 bicycles

will be provided in a two-level under-building garage, with approximately 15 parking spaces for autos and 8 bike stalls located outside the building. Access to the lower parking level will be provided from an entrance along the eastern façade of the building, with a driveway from the Circle Drive private lane. The upper level of parking will be accessed from an entrance on the northern façade directly below the pedestrian entrance at the northeastern corner. In addition to vehicular access from Circle Drive, the Sirloin Strip private lane will continue along the western property line and through the panhandle down to W Badger Road.

The proposed building will stand approximately 54 feet in height as measured from the first floor grade to the cornice and be topped by a flat roof. The 54-foot height does not include the exposure of portions of the two levels of parking below the residential floors. The applicant has provided staff with a graphic indicating that no more than 49.9% of those levels will be exposed to the south and W Badger Road. Given this, the Zoning Administrator has determined that those levels do not count as stories for determining the height of the building for zoning purposes. The elevations submitted for the proposed building do not specify the materials to be used, but the elevation and renderings indicate that the building will be clad with a combination of masonry and siding. Patios and balconies are proposed for all of the units.

Analysis

The applicant is requesting approval of a zoning map amendment to rezone the subject parcel from TR-V2 to TR-U1 to facilitate redevelopment of the site with a four-story, 74-unit apartment building following demolition of the existing mixed-use building containing a restaurant and apartment. The applicant is seeking TR-U1 zoning to allow the density and height of development proposed; the existing TR-V2 zoning would limit the site to a maximum of 45 dwelling units in a building no taller than three stories and 40 feet.

Consistency with Adopted Plans

The subject site is located within the boundary of the South Madison Plan, which was adopted in January 2022 to provide land use, economic development, housing, and transportation recommendations for the portion of the City generally bounded by Wingra Creek on the north, Fish Hatchery Road on the west, Lake Monona on the east, and the Beltline on the south.

The South Madison Plan identifies the subject site and adjacent undeveloped parcel to the east for Low-Medium Residential (LMR), while the mobile home park that borders those parcels on the north and west is recommended for Low Residential (LR). Consistent with the sub-area plan, the Comprehensive Plan recommends the subject site and undeveloped parcel for LMR, while the mobile home park is recommended for LR.

Land use categories in the South Madison Plan follow the descriptions for the land use categories in the Comprehensive Plan. According to the Comprehensive Plan, LMR areas are made up of any or all of the following types of housing: small-lot single-family development, two-unit buildings, three-unit buildings, rowhouses, and small multi-family buildings. LMR areas are largely characterized by what is sometimes referred to as the "Missing Middle" of housing development: the range of multi-unit or clustered housing types that fall between the extremes of detached single-family homes and large apartment buildings. Building forms present in LMR are generally compatible in scale with single-family homes, and may therefore be intermixed with small-lot single-family development or used as a transition from more intense development to lower intensity areas comprised primarily of single-family development. LMR areas should be characterized by a walkable, connected street network to meet the growing demand for walkable urban living. Existing, isolated LMR areas should be better connected with their surroundings when opportunities arise, and newly developing LMR areas should be

seamlessly integrated with surrounding development. Development in the LMR category should range in density from 7 to 30 units per acre and buildings should be up to three stories tall.

However, the 'Residential Future Land Use Categories' table on page 20 of the Growth Framework in the Comprehensive Plan includes a provision that allows large and courtyard multi-family buildings to be considered appropriate on properties recommended for LMR in "select conditions" at up to 70 dwelling units an acre and four stories of height. The factors to be considered include relationships between proposed buildings and their surroundings, natural features, lot and block characteristics, and access to urban services, transit, arterial streets, parks, and amenities. These factors were expanded with the updates to the Comprehensive Plan adopted by the Common Council on December 5, 2023; previously, the only consideration was whether the LMR site was located along an arterial roadway. The effect of the wording change with the 2023 amendment allows more factors to be considered when determining whether the building forms more commonly associated with the more intensive Medium Residential (MR) land use category are appropriate in LMR and to make those forms possible at more locations compared to the prior language, which effectively limited them to sites on arterial roadways.

The South Madison Plan generally recommends development of new housing in up to five-story buildings along Badger Road west of Rusk Avenue. However, the plan contains a specific recommendation that redevelopment of the subject site and the adjacent undeveloped parcel should be "carefully planned to integrate with the mobile home community" and "be built into the hill, with the height of any new construction measured from the southeast corners of those properties and not from the top of the hill so that the development will not loom over the adjacent mobile home park." The sub-area plan recommends maintaining the mobile home park as a source of affordable housing for the community, which suggests that the low-rise context surrounding the subject site will remain for the foreseeable future.

The site was assigned TR-V2 zoning consistent with the LMR recommendations at the time the subject site and surrounding properties were attached to the City of Madison from the former Town of Madison effective October 27, 2022.

Consideration of Zoning Map Amendment Standards

The standards for zoning map amendments found in Section 28.182(6) of the Zoning Code 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. Wis. Stats. Section 66.1001(3) requires that zoning map amendments approved 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."

The statement of purpose for the TR-U zoning districts (TR-U1 and TR-U2) are established to "stabilize and protect and encourage the essential characteristics of high-density residential areas and to accommodate a full range of life-cycle housing." Other stated purposes of the TR-U districts include insuring that new buildings and additions to existing buildings are designed with sensitivity to their context in terms of building placement, facade width, height and proportions, garage and driveway placement, landscaping, and similar design features; maintaining and improving the viability of existing housing of all types, while providing for updating of older housing in a context-sensitive manner; maintaining or increasing compatibility between residential and other allowed uses, and between different housing types, where permitted, by maintaining consistent building orientation and parking placement and screening; and facilitating the preservation, development or redevelopment goals of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans.

The TR-U1 zoning district requested allows for multi-family dwellings to be developed at a density of 58 units an acre (750 square feet of lot area per unit) and 160 square feet of usable open space per unit, with an allowed height of five stories and 65 feet. As noted above, TR-V2 zoning would limit development of the site to 45 units based on 1,500 square feet of lot area per unit and 160-320 square feet of usable open space per unit in an up-to three-story building. [Note: The Common Council adopted an amendment to the Zoning Code to eliminate usable open space requirements throughout the Zoning Code at its February 25, 2025 meeting. However, the text amendment will not be codified by the time the Plan Commission considers this project.]

The proposed four-story apartment building meets the criteria for both a 'large multi-family building' and a 'courtyard multi-family building' in the Residential Building Form Standards in Section 28.172 of the Zoning Code. The development proposes a net density of 47.4 units per acre based on 74 units on the 1.56-acre site.

In order to find the proposed rezoning from TR-V2 to TR-U1 consistent with the Comprehensive Plan and South Madison Plan, the above mentioned select conditions should be considered in turn:

- **Relationships between proposed buildings and their surroundings and lot and block characteristics:** If approved and built, the proposed apartment building would be considerably taller than the buildings that would surround it, at least initially. The South Madison Plan includes a recommendation that most of the W Badger Road frontage between S Park Street and S Beltline Court be developed with five-story buildings, with residential buildings west of Rusk Avenue and general commercial buildings to the east. Further to the west at Park, the plan recommends up to eight stories, while further to the east past S Beltline Court, the plan would allow up to 12 stories.

  However, as noted above, the South Madison Plan also recommends that new buildings on the subject site and on the adjacent lot to the east be built into the hills that form the southeastern corners of both properties to avoid new buildings on those sites from looming over the surrounding Madison Mobile Home Park. The intent of the provision referenced on page 47 of the sub-area plan is to allow for redevelopment of the subject parcel and the one adjacent while being sensitive to the lower scale of the mobile home community. As designed, however, the four-story apartment building will be construct atop the hill, with portions of the two levels of under-building parking built into the rock outcropping but visible on the southern and eastern walls. The effect of the proposed design will create the appearance of a six-story mass at the point the South Madison Plan recommends be no more than five stories tall. Staff will note, though, that the proposed height of the building does not require a conditional use for the height of the building; the Zoning Administrator has determined that the exposed portions of the two parking levels do not exceed the allowed exposure (not more than 50%) to be counted as floors for zoning purposes.

  Any finding in favor of the proposed rezoning to TR-U1 and the proposed height and mass of the resulting apartment building would need to be based in finding that the proposed development is consistent with the specific height recommendations in the South Madison Plan.

- **Natural features:** While not defined in the Comprehensive Plan, staff believes that it would be reasonable for the Plan Commission and Common Council to consider "natural features" as those topographic features commonly identified in plans and environmental corridor mapping where urban development may not be appropriate, including wetlands, floodplains, waterways, and areas of steep slope. As noted previously, the site is characterized by a significant rock outcropping that forms the southern and eastern edges of the property and is mapped as a "steep slope," which Dane County defines as a slope greater than 12%. In this case, the County's maps show the steepness of the southern and eastern lines at 20% or greater. The steepness of slopes on a property can be a factor for weighing erosion control impacts from such a feature, which can also be a factor in whether a street can safely be built into that slope without need for significant

grading. Per the above bullet, the rock outcropping factored into how the height of any new development on the subject site should be considered in relationship to the surrounding mobile home park.

- **Access to urban services, transit, arterial streets, parks, and amenities:** W Badger Road is classified as an *urban collector street* according to the Madison Metropolitan Planning Organization and not an arterial street in the hierarchy of street types maintained by the MPO. Per the MPO, a collector street connects local streets to the arterial street system and typically carries 3,000-9,000 vehicles per day compared to minor arterials, which can carry up to 20,000 vehicles per day and are designed to facilitate longer trips than lower-order streets like collector and local streets. W Badger Road is one lane in each direction, with sidewalk on the north side between S Park Street and Rimrock Road, including adjacent to the subject site. According to last available City data, W Badger Road carried 7,150 vehicles on an average day in 2019. Bike lanes are marked on the portion of the road between S Park Street and the Wisconsin & Southern Railroad viaduct west of the site. In the two other instances where the Plan Commission has recommended more intensive development on land recommended for LMR, the streets providing access were classified as minor arterials or greater by the MPO.

  A City project scheduled for summer 2025 will construct a 10-foot wide multi-use path on the north side of W Badger Road between the existing pedestrian bridge across the Beltline Highway adjacent to the southwestern corner of the site to N Rusk Avenue and then north on Rusk to Nygard Street to connect to existing sidewalk further to the north. The path project will replace the public sidewalk that currently extends along the W Badger Road frontage of the site and will add path where no pedestrian or bike facilities exist along the N Rusk Avenue frontage of the adjacent mobile home park.

  Metro Transit operates seven-day service with trips at least every 30 minutes along W Badger Road (Route G) past the site. Additional transit service is available east of the site on Route O along on N Rusk Avenue and E Rusk Avenue (which W Badger Road becomes at N Rusk Avenue) and on S Park Street. The site also has reasonable access to the commercial and institutional offerings present along S Park Street, which is just over a quarter-mile west of the western tip of the site. The Village on Park is approximately a half-mile walking distance from the site.

  However, access to public parkland from the site is limited. The closest park to the site is Lyckberg Park, a small open space owned by Dane County located in the southwestern corner of the Dane County Fairgrounds. The park, which has a small shelter but few or no amenities for active recreation, is located a half-mile walking distance from the site via W Badger Road and N Rusk Avenue. The closest parks with facilities for users are Penn Park, which is located just over three-quarters of a mile walking distance from the site west of the railroad corridor, and Quann Park, the southern extents of which are located three-quarters of a mile north of the site via Badger, N Rusk, and Koster Street. Improving access to public parkland from this portion of the South Madison planning area was a key recommendation of the South Madison Plan, which included recommendations for better access to Quann Park from the south and a crossing of the railroad to connect Sundstrom Street to Penn Park.

Staff does not believe that all of the select conditions enumerated in the Comprehensive Plan have to be present in order for a larger or denser building form to be allowed in the LMR land use category. However, in considering whether the requested TR-U1 zoning should be approved to facilitate redevelopment of the site with the proposed four-story apartment building, staff recommends that the Plan Commission carefully consider the height of the proposed building compared to the maximum height recommended in the South Madison Plan and whether the other select conditions are met in this case. Although redevelopment of the site with an up to five-story building is allowed by the plan, the height of new buildings on this site and the one adjacent are specifically recommended to be measured lowest points of those parcels at the southeastern corner and not from the top of the hills that characterize both parcels to ensure that any new buildings do not loom over the Madison Mobile Home Park that

surrounds them. While a four-story building for zoning purposes because the two levels of under-building parking are not exposed more than 50% on the south, front/street-facing side, the building will appear taller than recommended by the South Madison Plan.

In addition to the height of the building to be developed in TR-U1, the limited access to parkland from the site and lower order collector street classification of W Badger Road should be considered when considering the proposed zoning request.

Consideration of Demolition Permit Standards

In order to approve a demolition request, the Plan Commission shall consider the factors and information specified in Section 28.185(9)(c) and find 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 standards for demolition approval 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 that may be submitted by the Landmarks Commission. On January 13, 2025, the Landmarks Commission recommended to the Plan Commission that the existing building had no known historic value. Staff has no information that would suggest that the demolition permit standards cannot be met with the request to demolish the mixed-use building.

In approving a demolition permit, the Plan Commission may stipulate conditions and restrictions on the proposed building demolition as deemed necessary to promote the public health, safety and general welfare of the community, and to secure compliance with the standards of approval. The proposed conditions for this demolition may be found in the 'Recommendation' section of the report, which follows.

Consideration of the Conditional Use Standards

A conditional use is defined in the Zoning Code as "a use which, because of its unique or varying characteristics, cannot be properly classified as a permitted use in a particular district." The Plan Commission shall not approve an application for a conditional use unless it can find that all of the standards found in Section 28.183(6)(a), Approval Standards for Conditional Uses, are met. That section states: "The City Plan Commission shall not approve a conditional use without due consideration of the recommendations in the City of Madison Comprehensive Plan and any applicable, neighborhood, neighborhood development, or special area plan, including design guidelines adopted as supplements to these plans. No application for a conditional use shall be granted by the Plan Commission unless it finds that all of the [standards for approval in Section 28.183(6) are met]." Before granting a conditional use, the Plan Commission may stipulate conditions and restrictions on the establishment, location, construction, maintenance and operation of the conditional use. Additionally, 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 believes that the Plan Commission may find that the conditional use standards are met to allow construction of the proposed four-story, 74-unit apartment if the proposed TR-U1 zoning is approved. The comments and conditions submitted by reviewing agencies suggest that the City is able to provide municipal services to the property where the conditional use is proposed. However, the City Engineer notes that the private sanitary sewers that serve the subject site now are not adequately sized to serve the proposed multi-family building and that the developer will instead be required to extend sewer approximately 900 feet to the east along W Badger Road and E Rusk Avenue to serve the project. Additionally, the Zoning Administrator is requiring that the principal entry to the building be oriented to the primary abutting street, W Badger Road, and also include a stoop or porch oriented to the street.

Conclusion

The applicant proposes to demolish a mixed-use building containing a restaurant and apartment to allow redevelopment of the 1.56-acre site with a four-story, 74-unit apartment building following rezoning of the site from TR-V2 to TR-U1. The requests are subject to the standards for approval for demolition permits, zoning map amendments, and conditional uses.

The subject site is recommended for Low-Medium Residential (LMR) by the South Madison Plan and the Comprehensive Plan. LMR is a land use category intended to primarily encourage development of small-lot single-family, two-unit buildings, three-unit buildings, rowhouses, and small multi-family buildings at densities between 7-30 units an acre in up to three-story buildings. However, the applicants are requesting approval using a provision in the Comprehensive Plan that allows large multi-family buildings and courtyard multi-family buildings up to four stories in height and at densities up to 70 units an acre to be considered appropriate in LMR under select conditions.

In considering the request to rezone the site to TR-U1, staff recommends that the Plan Commission carefully consider the height of the building against recommendations in the South Madison Plan that call for up to five-story buildings to be developed on the site provided that the height of the building is measured from the lowest point of the subject site at the southeastern corner of the parcel and not from the top of the hill/rock outcropping that characterizes the property to avoid the mass of a new building "looming" over the Madison Mobile Home Park that surrounds it. As noted in the analysis section above, the proposed building will appear as a six-story building from W Badger Road due to the partially exposed under-building parking levels to be located below the four residential stories. However, if the Plan Commission can find that the height and mass of the proposed building is consistent with the specific height recommendations for this site in the South Madison Plan, it could recommend approval of the rezoning. The Plan Commission shall also consider that W Badger Road is only classified as a collector street by the Madison Metropolitan Planning Organization, and that access to parkland from the site is limited.

If the Plan Commission finds that the select conditions for rezoning to TR-U1 are met, staff believes that the Commission may find that the standards for conditional uses are met subject to the conditions that follow.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, (608) 261-9632)

The Plan Commission may find that that the standards for demolition permits are met to approve demolition of the mixed-use building located at 77 Sirloin Strip.

If the Plan Commission can find the standards are met, it should forward Zoning Map Amendment ID 28.022–00704, rezoning 77 Sirloin Strip from TR-V2 to TR-U1, to the Common Council with a recommendation of approval.

If the rezoning is approved, the Plan Commission may find that the standards for conditional uses are also met to approve construction of a four-story, 74-unit apartment building, subject to input at the public hearing and the conditions from reviewing agencies that follow:

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

Planning Division

1. The applicant shall identify the accessible pedestrian access route between the building entrance(s) and the existing/planned public sidewalk/path along W Badger Road.

2. Provide cross-sections and elevations of the proposed building and site grading that show the entire project when viewed from the top of curb on W Badger Road; these plans shall also clearly show the relationship of the building and site improvements at the southern property line. The purpose of the condition is fully show the height and mass of the building along the entire W Badger Road frontage and in consideration of the site topography.

3. Provide additional renderings of the proposed building looking from the north looking south across the site.

4. Revise the elevations of the proposed building to include building materials.

5. The final plans shall include a data table that contains the acreage of the complex, the number of dwelling units by type, auto parking stalls (garage (including electric) and surface), bike parking stalls (indoor and surface), lot coverage, and usable open space. The final plans and letter of intent shall be revised to match.

6. Detailed floorplans for the building shall be provided with the final plans, which shall include labels with the number of bedrooms and type of dwelling unit (instead of the color-coded version submitted for review).

City Engineering Division (Contact Tim Troester, (608) 2671-995)

7. The existing building is provided sanitary sewer service through a privately owned sewer in the mobile home park. This sewer will not be able to handle the additional wastewater flow from the planned development. The applicant shall install a public sewer with a developer agreement extending east to the gravity sewer on E Rusk Avenue, approximately 400 feet east of N. Rusk Avenue.

8. Enter into a City/ Developer agreement for the required infrastructure improvements to serve this development. The agreement shall be executed prior to sign-off. Allow 4-6 weeks to obtain agreement. Contact the City Engineering Division to schedule the development and approval of the plans and the agreement.

9. Construct any restoration required to pavement, curb and gutter, sidewalk, and terrace as required by the City Engineer.

10. Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the development.

11. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division 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.

12. 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.

13. An Erosion Control Permit is required for this project.

14. A Storm Water Management Report and Storm Water Management Permit is required for this project.

15. A Storm Water Maintenance Agreement (SWMA) is required for this project.

16. This site appears to disturb over one (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 NR-216 and NR-151; however, a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue its permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at (608) 273-5612 of the WDNR to discuss this requirement. 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 the Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.

17. 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.

18. Revise the plans to identify the location of the public storm sewer (proposed or existing) that will serve the development show the connection of the private internal drainage system to the public storm sewer.

19. Revise plan to show the location of all rain gutter down spout discharge locations. Downspouts shall be directed to drain to public right of way.

20. The applicant shall show storm water "overflow" paths that will safely route runoff during the 100-year, 24-hour design storm when the storm sewer is at capacity. Public stormwater shall be contained to public right of way, easements, or public lands for the 100-year, 24-hr design storm for new development.

21. This project will disturb 20,000 square feet or more of land area and require an Erosion Control Plan. Please submit an 11- by 17-inch 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.

22. Demonstrate compliance with MGO Sections 37.07 and 37.08 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.

23. This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health–Madison-Dane County, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.

24. This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.

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

26. Prior to approval, this project shall comply with Chapter 37 of 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 Storm Water Management Plan & Report shall include compliance with the following:

    Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

    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.

    By design detain the 10-year post construction design storm such that the peak discharge during this event is reduced 15% compared to the peak discharge from the 10-year design storm in the existing condition of the site. Further, the volumetric discharge leaving the post development site in the 10- year storm event shall be reduced by 5% compared to the volumetric discharge from the site in an existing condition during the 10-year storm event. These required rate and volume reductions shall be completed, using green infrastructure that captures at least the first half-inch of rainfall over the total site impervious area. If additional stormwater controls are necessary beyond the first half-inch of rainfall, either green or non-green infrastructure may be used.

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

    Treat the first half-inch of runoff over the proposed parking facility.

    Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any best management practices (BMP) used to meet stormwater management requirements on this project.

27. 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 Division – Mapping Section (Contact Jeffrey Quamme, (608) 266-4097)

28. Coordinate with Traffic Engineering and City Engineering Division staff any easement needs for the Badger-Rusk path project along W Badger Road currently under design.

29. Provide for review an amendment of the Ingress and Egress Easement per Document No. 1867479 to include the additional drive areas, private pedestrian walks that may be required to connect to W Badger Road and

to acknowledge that the accesses are also for emergency vehicles and shall remain open and clear. The final amendment shall be recorded prior to final site plan sign-off.

30. If storm water is to be discharged or there is to be a storm sewer conveying water to or from any adjacent lot, a private storm sewer/drainage easement/agreement shall be drafted, executed and recorded prior to building permit issuance. The applicant shall provide a draft to staff for review and approval.

31. If this proposed development is to connect to a private sanitary sewer system, a private sanitary sewer easement/agreement shall be drafted, executed and recorded prior to building permit issuance. The applicant shall provide a draft to staff for review and approval.

32. The private road names shall be provided on the site plans of Tulip Lane on the west east-west portion, the north-south road is Sirloin Strip and the private road along the northeasterly and east side is Circle Drive.

33. The address of 77 Sirloin Strip will be retired and archived with the demolition of the existing building. The address of the proposed building is 2310 Circle Drive. 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.

34. Provide first floor plan details for the lobby area, mailbox area, and any amenities or office spaces.

35. Submit a site plan and a complete building floorplan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floorplan 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 that shows the number of apartments on each floor. 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 permit record with Zoning. The final approved Addressing Plan shall be included in said Site Plan Verification application materials. Per MGO Section 34.505, 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 Sean Malloy, (608) 266-5987)

36. Lower-level parking is not dimensioned and, as such, is not reviewable at this time; Traffic Engineering staff reserves the right to make any comment up to and including comments that may require a redesign of the building that could cause the applicant to return to Plan Commission for approval. The applicant should be aware standard parking stalls are 9 feet by 18 feet with 24 feet of back-up; stall widths shall not be encroached upon by any items, including columns.

37. The applicant shall submit for review a waste removal plan, which shall include vehicular turning movements, times, vehicle size, use of loading zones and all related steps to remove trash from its location.

38. 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.

39. 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.

40. 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.

41. All parking facility design shall conform to the standards in MGO Section 10.08(6).

42. The applicant shall provide a clearly defined five-foot 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 wheelchair 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.

43. 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.

44. The developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

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

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

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

46. The principal entry to the building shall be oriented to the primary abutting street (W Badger Road). The building shall include a stoop or porch oriented to the street.

47. Verify that the building elevations correspond with the floorplans.

48. 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 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 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.

49. Submit a detailed and dimensioned site plan. Show the building setback distances as measured to the front, side and rear property lines.

50. Provide a calculation and plan detail for lot coverage with the final submittal. The lot coverage maximum is 75%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.

51. Provide calculations for the required useable open space areas and clearly show the useable open space areas on the final plans. A minimum of 11,840 square feet of useable open space is required. Identify each qualifying at-grade usable open space area, and show the structured useable open space areas located on roof decks, porches, and balconies. Roof decks, porches, and balconies may be used to meet up to 75% of the minimum open space requirement, provided that minimum dimensional requirements are satisfied.

52. Submit a parking summary table with counts of vehicle parking stalls, accessible stalls, electric vehicle ready stalls, and bicycle stalls.

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

54. 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 75 resident bicycle stalls are required plus a minimum of 7 short-term guest stalls. 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 rack to be installed.

55. 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 10,000 square feet in size must be prepared by a registered landscape architect.

56. Exterior lighting shall be provided in accordance with MGO Section 29.36. Provide an exterior lighting photometric plan and fixture cut sheets with the final plan submittal.

57. 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).

58. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first 60 feet from grade are comprised of less than 50% glass, at least 85% of the glass on glass areas 50 square feet or over must be treated. Of all glass areas over 50 square feet, any glass within 15 feet of a building corner must be treated. Identify which glass areas are 50 square feet or greater and which glass areas will be treated. Provide a detail of the specific treatment product that will be used.

59. 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.

60. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31 Sign Codes. 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)

61. Provide cross access easement for fire lane that crosses property line at the north side.

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

62. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Secs. 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 Central Park-Infrastructure Impact Fee district. Please reference ID# 25005 when contacting Parks Division staff about this project.

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

63. The proposed water service would have to connect to the existing water main and not the hydrant lead. Submit a utility plan for approval.

64. 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 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 (608) 266-4646.

Forestry Section (Contact Zachary Eckberg, zeckberg@cityofmadison.com)

This agency has reviewed the request and recommended no conditions of approval.

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

65. The applicant shall identify the accessible pedestrian access route between the building entrance(s) and the existing/planned public sidewalk along W Badger Road.

66. In coordination with public works improvements, the applicant may install and maintain an expanded concrete pad surface at the planned bus stop on the north side of W Badger Road, west of the pedestrian beltline overpass crosswalk. The applicant may then install and maintain a new passenger seating amenity in this area, to serve the users of the planned redevelopment site. The applicant should be aware of the requirements set forth in MGO Section 10.31, as well as the timelines necessary to submit a Privilege in Streets (Bus Seating) application and should contact the City's Office of Real Estate Services for information and

assistance with the Privilege in Streets (Bus Seating) application process. An approved Encroachment Agreement, for the bus stop amenity, shall be executed prior to sign-off.