

PLANNING DIVISION STAFF REPORT

August 8, 2016



PREPARED FOR THE PLAN COMMISSION

Project Address: 418 Division Street (District 6 – Ald. Rummel)
Application Type: Rezoning and Conditional Use
Legistar File ID #: [43648](#) & [43416](#)
Prepared By: Chris Wells, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Jay Wendt, Principal Planner

Summary

Applicant & Owner: Joe Krupp; Prime Urban Properties; 2020 Eastwood Avenue; Madison, WI 53704
Contact: J. Randy Bruce; Knothe & Bruce Architects, LLC; 7601 University Avenue, Suite 201; Madison, WI 53562

Requested Action: There are three requests with this proposal. First, approval of the demolition of an industrial building. Second, approval to rezone 418 Division Street from the TE (Traditional Employment) to the TSS (Traditional Shopping Street) District, and thirdly, conditional use approval for the construction of a building with over eight (8) dwelling units; and a multi-tenant building exceeding 25,000 sq. ft..

Proposal Summary: The applicant proposes to demolish an industrial building to construct a 3-story, 31-unit residential building with one level of structured parking containing 29 stalls.

Applicable Regulations & Standards: This proposal is subject to the standards for Zoning Map Amendments [MGO Section 28.182(6)], Demolitions [MGO Section 28.185(7)] Conditional Uses [MGO Section 28.183(6)], and the TSS District [MGO Section 28.065]. Section 28.061(1) of the Zoning Code lists a multi-family dwelling containing more than 8 dwelling units as a conditional use in the TSS (Traditional Shopping Street) district. Section 28.065(4)(a) of the Zoning Code lists buildings exceeding 25,000 sq. ft. in floor area for a multi-tenant building require conditional use approval.

Review Required By: Plan Commission (PC), Common Council (CC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the standards for zoning map amendments are met and forward Zoning Map Amendment 28.022 – 00246 rezoning 418 Division Street from the TE (Traditional Employment) to the TSS (Traditional Shopping Street) District to the Common Council with a recommendation of **approval**. The Planning Division further recommends that the Plan Commission find that the standards are met and **approve** the demolition and conditional use to demolish an industrial building before constructing a 31-unit apartment building. These recommendations are subject to input at the public hearing and the conditions recommended by reviewing agencies.

Background Information

Parcel Location: The 17,447–square-foot (0.4-acre) subject property located to the west side of Division Street, in between the Capital City Bicycle Trail (which runs along Eastwood Drive) and Helena Street. The site is within Aldermanic District 6 (Alder Rummel) and located within the limits of the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site includes an existing 11,300-square-foot industrial building which was constructed in 1921 as the Capitol Plating & Machine Company Building and has had numerous additions.

Surrounding Land Use and Zoning:

North: The Capitol City Bicycle Trail, zoned TE (Traditional Employment) District; beyond which (across Eastwood Drive) is Monty’s Blue Plate Diner, zoned TSS (Traditional Shopping Street) District;

South: The Schoeps Ice Cream Facility, zoned TE District;

East: Across Division Street is single-family residential, zoned TR-V1 (Traditional Residential - Varied 1 District) District; and

West: A vacant parcel, beyond which is a Schoeps Ice Cream Facility building, both zoned TE District. Beyond that is single-family residential, zoned TR-C4 (Traditional Residential – Compact 4) District.

Adopted Land Use Plan: The [Comprehensive Plan \(2006\)](#) recommends Neighborhood Mixed-Use (NMU) for this parcel. The [Marquette-Schenk-Atwood Neighborhood Plan \(1994\)](#) recommends future opportunities to redevelop the Schoeps Ice Cream and Capital Water Softening parcels (or portions thereof) be designed for parkland, residential, or mixed-use projects (including small retail shops). The [Schenk Atwood Business District Master Plan \(2000\)](#) recommends redevelopment of the subject property as an office use (for Schoep’s corporate offices) with enclosed parking.

Zoning Summary: The applicant requests approval to rezone the property to the TSS (Traditional Shopping Street) District.

Requirements	Required	Proposed
Lot Area (for exclusive residential use)	500 sq. ft./unit (15,500 sq. ft.)	17,447 sq. ft.
Front Yard Setback	25’ maximum	7.0’
Side Yard Setback	One-story: 5’ Two-story or higher: 6’	6.9’ north 7.0’ south
Rear Yard Setback: For corner lots, where all abutting property is in a nonresidential zoning district	The required rear yard setback shall be the same as the required side yard setback: 6’	20.6’
Usable Open Space	40 sq. ft./unit (1,240 sq. ft.)	1,403 sq. ft.
Maximum Lot Coverage	85%	83%
Maximum Building Height	3 stories/ 40’	3 stories (See Comment #50)
Number Parking Stalls	Multi-family dwelling: 1 per dwelling (31)	29 underground (See Comment #46)
Accessible Stalls	Yes	Yes (See Comment #47)
Loading	None	None
Number Bike Parking Stalls	Multi-family dwelling: 1 per unit up to 2-bedrooms, ½ space per additional bedroom (31); 1 guest space per 10 units (3) (34 total)	4 surface 31 underground (35 total)
Landscaping and Screening	Yes	Yes (See Comments #48 & #49)
Lighting	No	No (See Comment #52)
Building Forms	Yes	Yes, Large Multi-Family Building (See Comment #51)
Other Critical Zoning Items	Barrier Free (ILHR 69); Utility Easements	

Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

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

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

Project Description

The applicant proposes to construct a three-story residential building with 31 residential units and 29 under-building parking stalls following the demolition of a one-story industrial building. The applicant further requests approval to rezone the subject property from TE (Traditional Employment) to the TSS (Traditional Shopping Street) District. Lastly, the applicant requests conditional use approval for the construction of a building with over eight (8) dwelling units; and a multi-tenant building exceeding 25,000 sq. ft..

The mix of residential units includes 3 efficiency units, 21 one-bedroom, 3 one-bedroom w/ den; and 4 two-bedroom apartments. The proposed residential density for the 0.4-acre Lot 1 is 77.5 dwelling units per acre. The majority of the units have either a private balcony or a front stoop, and there is additional shared usable open space at grade as well as on a shared rooftop terrace.

The main entrance to a common vestibule serving the residential space is located off of Division Street, near the intersection with Helena Street. An additional entrance will be located along the northern elevation, providing access from the exterior sidewalk along the building to an internal staircase. Access to the under-building parking is proposed from Helena Street along the western property line. The submitted site plan shows 29 underground automobile parking spaces are proposed for the residential units. As proposed, the development does not meet the Zoning Code's minimum parking requirements. A parking reduction application will be required for the omitted two stalls which are required to meet the minimum off-street parking requirements for multi-family dwelling of 1 stall per dwelling unit. The plan also shows 31 underground bicycle parking stalls with another four located adjacent the main entrance on Division Street.

The proposed building exterior includes a combination of modular-sized brick and two shades of grey corrugated metal siding. Brick is the building's primary material while the light grey metal is used as a counterpoint at the northeast and west sides of the building where the roof form switches from flat to barrel-shaped. The dark grey metal is used on the recessed, transitional planes which link the building's primary forms. A manufactured stone clads the building's base which is revealed as the ground slopes away from the building along Division Street. Aluminum will be used for the balcony railings and heavy timber for the rooftop trellis and entry canopies. Lastly, the curved roof elements will be a standing-seam metal with an aluminum-wrapped trim.

The applicant is in the midst of significant design revisions based on staff feedback. As things move forward, Staff anticipates that the basic building footprint and program will remain the same, but that the treatment of the corner element, the material simplification, and other details of concern to staff will be addressed in the near future. These changes would be supported based on the UDC feedback given at their July 27 meeting.

The landscape plan includes foundation plantings around the building, and a mixture of ornamental and understory trees dotting the sidewalks along the south and east of the site.

Analysis

The proposed project is subject to the approval standards for Zoning Map Amendments [MGO Section 28.182(6)], Demolitions [MGO Section 28.185(7)] and Conditional Uses [MGO Section 28.183(6)]. This analysis begins with an analysis of adopted plan recommendations.

Conformance with Adopted Plans

The [Comprehensive Plan \(2006\)](#) recommends neighborhood mixed-use development for the subject site. Regarding future opportunities to redevelop the Schoeps Ice Cream facility (to which the subject parcel and Jenifer Street market, both immediately adjacent, are part of a common planning area), Note #1 on the [Comprehensive Plan's Map 2-2a \(Generalized Future Land Use Plan - Section A\)](#) states: *"This is currently the site of a long-established ice cream production facility located within a predominantly residential neighborhood. If this site is redeveloped at some future time, a mix of residential development and neighborhood-serving commercial or employment uses is recommended rather than redevelopment with a new industrial use. ... Buildings should be generally compatible in scale with existing residential and commercial buildings in the area."*

The general height recommendation for neighborhood mixed-use areas is between two and four stories, noting that specific height standards should be established in neighborhood or special area plans, and should be compatible with the scale and intensity of the adjacent neighborhood.

In regards to density, the [Comprehensive Plan](#) states that neighborhood mixed-use districts should generally not exceed 40 dwelling units per acre (du/ac), but a neighborhood or special area plan may recommend small areas within the district for a higher maximum density if the development is compatible with the scale and character of the neighborhood.

The [Comprehensive Plan](#) also includes the subject site within a Transit-Oriented Development (TOD) overlay designation. Such development is characterized by a compact, mixed-use development pattern that focuses the highest development densities and intensities in very close proximity to high capacity transit stops. This is intended to achieve a development pattern at and near transit stops that fosters travel via high-capacity mass transit. The proposed site has excellent transit service. Nearby bus stops are located on Eastwood Drive, at the intersection of Division Street and Atwood Avenue, and at the intersection of Division Street and Jenifer Street – all within 0.1-miles. Together, these stops are served by three weekday bus routes (including all-day, peak, and off-peak service) with two others 0.3-miles away on Winnebago Street. Weekend and holiday service provided by one route along Atwood Avenue and one along Winnebago Street

The [Comprehensive Plan](#) development guidelines for TOD generally recommend that lands within a 1/4-mile of a transit stop have net densities no less than 18 du/ac and areas within 1/8-mile should have densities of 30 du/ac or more. Within a 1/4-mile of this development site, there is currently an existing residential net density of about 11.5 du/ac and 14 du/ac within 1/8-mile. There is no prescribed maximum density within a TOD area, though the plan acknowledges that higher net densities (i.e. 30 du/ac) may not always be feasible or desirable, particularly where the adjacent development is at a lower density.

The [Marquette-Schenk-Atwood Neighborhood Plan \(1994\)](#) includes both general and geographically-specific land use and housing recommendations for the neighborhood. In regards to density, the Plan provides only general guidance on page 21 stating: *"New construction should be compatible with the surrounding environment in terms of bulk, scale, and style of nearby buildings to ensure that the architectural and historical character of the neighborhood is retained."*

In regards to land use, the Neighborhood Plan recommends future opportunities to redevelop the Capital Water Softening and Schoeps Ice Cream parcels (or portions thereof) as parkland, residential, or mixed-use projects, including small retail shops.

Finally, the Schenk Atwood Business District Master Plan (2000) recommends redevelopment of the subject property as an office use (for Schoep’s corporate offices) with enclosed parking.



A view southbound on Division Street (the subject parcel is on the right)



A view northbound on Division Street (the subject parcel is up the road on the left)



A view from Division Street westward down Helena Street (the subject parcel is on the right)

In regards to plan consistency, the Planning Division believes the project to be compatible with the general use, height, and massing recommendations. The proposal however exceeds the recommended density. At more than 78 dwelling units per acre, the proposed density is nearly twice that recommended in the Comprehensive Plan. While the Comprehensive Plan defers to the neighborhood plans for specific recommendations regarding density, or to recommend small areas within the district for a higher maximum density if the development is compatible with the scale and character of the neighborhood, neither the Marquette-Schenk-Atwood Neighborhood Plan (1994) nor the Schenk Atwood Business District Master Plan (2000) make any such assertions.

For comparison, the chart below shows the densities of two other recently-approved nearby developments, both in the TSS District. Currently under construction, the 2087 Atwood Avenue project is a 4-story, mixed-use commercial/residential building with 30 units and a density of 83 du/ac. Recently completed and now occupied, the 2158 Atwood Avenue project is a 4-story, mixed-use commercial/residential building with 32 units and a density of 87 du/ac. While it has been noted that, like the current proposal, these two developments are both in the TSS Zoning District, unlike the current proposal, the two parcels are recommended by the Comprehensive Plan for Community Mixed-Use (which it generally recommends not to exceed 60 du/ac), whereas the subject parcel is recommended for Neighborhood Mixed-Use (which it generally recommends not to exceed 40 du/ac).

Parcel	Zoning	Use	Generalized Future Land Use	Cmcl	Floors	Units	Bedrms	Site Area (ac)	Density	Pkg Stalls/Unit	Notes
2158 Atwood Ave	TSS	Mixed-Use	Community Mixed-Use (CMU)	3,014	4	32	38	0.37	87.45	1.25	
2087 Atwood Ave	TSS	Mixed-Use	Community Mixed-Use (CMU)	1,800-3,300	4	30	30	0.36	83.24	1.00	not including 5 shared space w/ Monty's
418 Division St	TSS	Residential	Neighborhood Mixed-Use (NMU)	--	3	31	35	0.4	77.50	0.94	

It is also important to keep in mind that the Comprehensive Plan does note that its maps are “a representation of the recommended pattern of future land uses at a large scale, and is not intended for application on a parcel-by-parcel basis; nor should it be interpreted as similar to a zoning district map. Recommended land uses are generalized in that the exact boundaries between one land use category and another are often only approximate, the range of different land uses and development densities encompassed within the use district definitions is relatively large, and all of the districts may include a variety of land uses in addition to the primary use.” (Comprehensive Plan, Pg. 2-77) This means that while the density on the subject parcel is twice that recommended by the Comprehensive Plan, one needs to focus on the future *net* density of the entire area in the contiguous Generalized Future Land Use district (i.e. the Capital Water Softening, Schoeps Ice Cream, and Jenifer Street Market parcels). While it would not be consistent with the plan to develop the entire area at 78 du/ac, smaller portions being developed (where appropriate) at a density higher-than-average doesn’t preclude an overall density of ~40 dwelling units per acre if and when the entire area is redeveloped. Furthermore, it should be noted that density is but one measure of the intensity of development. A project containing fewer or smaller units in the same building volume would have a density closer to that recommended for new development while having the same impact on the site and surroundings.

Regarding the proximity to the TOD overlay, the Planning Division believes that the subject parcel, being located in the northeast corner of the area under discussion, and closest to the TOD node, is the preferred location for higher density development. The fact that approximately 80-percent of the proposal’s 31 residential units are one-bedroom units, coupled with the development’s low auto parking ratio (i.e. just under one stall per dwelling unit), speaks to the development’s transit-oriented disposition. Staff is aware of concerns from several neighbors regarding this low provision of parking and its potential impact on parking in the neighborhood as well as its overall traffic.

Given consideration of these factors, the Planning Division believes the proposal could be found to be compatible with the adopted plans.

Zoning Map Amendment Standards

Staff is aware of some concerns from neighbors regarding the choice to rezone the parcel to TSS. Staff acknowledges that TSS may not appear to be the ideal zoning district for the site as it is isolated from the primary TSS corridor of Atwood Avenue. However, TSS has the most flexible bulk requirements which would allow the building to sit just 6-feet from the sidewalk – something that Staff feels is appropriate at this location. The density of development could be supported in the TR-U2 District, although the building would need to be redesigned to meet TR-U2’s bulk requirements. Given the observations outlined in the previous section, Staff believes TSS to be both appropriate and, as the site is recommended for neighborhood mixed-use development, believes the TSS District could be found consistent with the Comprehensive Plan.

Demolition Permit Standards

Staff believes that the demolition standards are met with this proposal. While it has served very well as an industrial space for many years, no concerns about the demolition of the existing building have been raised by the Landmarks Commission or others. Relocation of the building is not practical. Finally, as discussed above, the proposed building could be found to be generally consistent with the Comprehensive Plan (2006) and the Marquette-Schenk-Atwood Neighborhood Plan (1994), both of which recommend residential or residential mixed-use for this site.

Conditional Use Standards

The Plan Commission shall not approve a conditional use without due consideration of adopted plan recommendations and finding that all of the approval standards are met. The Planning Division believes the conditional use standards can be met, given the conditions of approval included with this report. The Planning Division believes consideration should be given to the normal and orderly development and improvement of the surrounding property as well as the proposal's aesthetic compatibility with the surroundings.

Standard 4 states "The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in this district." One of the measures of "normal and orderly" development that have been used by the Plan Commission is plan consistency. As noted above, the project greatly exceeds the recommended density of the Comprehensive Plan, which is the only adopted plan to provide normative guidance regarding density. As has been discussed above, due to fact that it its land use is supported by the Marquette-Schenk-Atwood Neighborhood Plan (1994), and because Staff believes the unit composition, parking ratio and building placement are all appropriate for a transit-oriented building, the Planning Division believes the proposal could be found to be compatible with the adopted plans.

Standard 9 states "When applying the above standards to any new construction of a building or an addition to an existing building the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district.

Statement of Purpose for the Traditional Shopping Street (TSS) District

The TSS Zoning District is established to encourage and sustain the viability of Madison's mixed-use corridors, which sustain many of the City's traditional neighborhoods. The district is also intended to:

- (a) Encourage pedestrian, bicycle and transit use as a means of accessing and moving through these corridors.
- (b) Encourage diversification of uses, including residential, commercial, and civic uses, in order to enhance the vitality and appeal of these areas.
- (c) Maintain the viability of existing residential buildings located within or adjacent to these corridors.
- (d) Encourage appropriate transitions between higher-intensity uses within TSS districts and adjacent lower-density residential districts.
- (e) Facilitate preservation, development or redevelopment consistent with the adopted goals, objectives, policies, and recommendations of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans.

At the request of Alder Rummel, the applicant presented plans to the Urban Design Commission (UDC) for an advisory opinion on July 27, 2016. The full report of the UDC (included in the Plan Commission packet) includes their advisory recommendation noting design suggestions offered for consideration by the Plan Commission. These included: "Simplifying the material palette; getting rid of the exposed brackets under the vaulted ceiling of the main corner element; exploring more interesting design ways to connect the northern entrance to the bike path (via a meandering, rather than linear, path); and making the residential entrance along Division Street look more residential."

Staff is aware of concerns from neighbors regarding both the building's materials and massing. The Planning Division remains concerned about the overall complexity of the composition and would like to see a simplification of the materials - particularly a reduction in and of the multiple shades of the corrugated metal as well as use of said metal on the front planes of the sections of the elevations (i.e. under the first and second floor windows). In addition, Staff would like to make sure the front stoops and balconies are of a usable size. Lastly, Staff would like to see at least some landscaping buffer between the building and the pedestrian right-of-way (i.e. in between the northeast patio and the public sidewalk as well as in between the projecting stoop landing on the eastern elevation and the public sidewalk). Lastly, Staff would like to see at least some landscaping buffer in between the building and the pedestrian right-of-way (i.e. in between the public sidewalk and both the northeast patio as well as the front projecting stoop landing on the eastern elevation).

Considering the advisory comments of the UDC and design-related conditions of approval included with this report, the Planning Division believes the Plan Commission may find this standard met.

Public Input

Input provided to the Planning Division indicates that the project has been varyingly received by the neighbors. These comments will be provided and are available in Legistar. Many have concerns with the north side of the building – either concerns regarding how it will relate to and connect with the Capital City Bicycle path or how the re-grading will impact stormwater runoff in the surrounding area and cause flooding. To address this concern, several are advocating for the provision of a rain garden in the public right-of-way (in between the bicycle trail and the proposed building). Some neighbors are also concerned about the low provision of parking on site (and feel it should be at least 1 stall per unit), while others laud the ratio, the ample bicycle parking provided, and its sustainable bent. There has also been concern voiced about the appropriateness of the proposed materials and massing at this location. Additionally, there is concern about the fact that the redevelopment of this parcel represents the first on the south side of Eastwood Drive and several residents are concerned about the potential for a domino effect of development as a result. Lastly, there is concern about the impact this development will have on local traffic patterns, particularly given the idling of the Schoep trucks in and around their facility.

Conclusion

While acknowledging the fact that the proposed development is twice the recommended density, the Planning Division believes the proposal could be found to be compatible with the adopted plans. This is due to the fact that residential development is supported by the Marquette-Schenk-Atwood Neighborhood Plan (1994) and is compatible with the general use, height, and massing recommendations. Staff believes the proposal's smaller units and low parking ratio both point to the transit-oriented nature of the project, and believes its location nearest the TOD overlay to be the most appropriate location for higher density if one looks at the entire redevelopment potential of the parcel which includes Schoeps and Jenifer Street Market parcels. Staff also notes that while the Planning Division has concerns related to some aesthetic considerations, the applicant received an advisory opinion from the Urban Design Commission who offered a number of design suggestions and could be described as generally in support of the proposal's design elements.

Recommendation

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

The Planning Division recommends that the Plan Commission find that the standards for zoning map amendments are met and forward Zoning Map Amendment 28.022 – 00246 rezoning 418 Division Street from the TE (Traditional Employment) to the TSS (Traditional Shopping Street) District to the Common Council with a recommendation of **approval**. The Planning Division further recommends that the Plan Commission find that the standards are to be met and **approve** the demolition and conditional use to demolish an industrial building before constructing a 31-unit apartment building. These recommendations are subject to input at the public hearing and the conditions recommended by reviewing agencies.

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

1. No HVAC “wall-pack” penetrations/louvers are shown on the street-facing facades. Any HVAC penetrations in the building shall be perpendicular to the main facade, and provided within the recessed balcony spaces. Unless specifically approved by the Plan Commission, the addition of wall packs on outward-facing walls is not included in this approval and will require approval of an alteration to this conditional use should they be proposed at a later time.
2. Final elevation drawings shall reduce the use of corrugated metal on the front planes of the brick sections of the elevations (i.e. under the first and second floor windows).
3. The applicant shall verify that all balconies and roof decks conform to MGO 28.140(1)(d).
4. Final landscaping drawings shall include at least some landscaping buffer in between the public sidewalk and both the northeast patio as well as the projecting stoop landing along Division Street.

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

5. Applicant shall revise sanitary Sewer plan to connect to sewer on Division Street where the City's downstream sewers are in much better condition and have greater capacity.
6. Applicant shall provide information on the drainage plan for the access ramp to the underground parking. Likely this will include a pumping plan sealed by a professional engineer or master plumber showing that the system designed can accommodate the 100 year storm event.
7. The applicant shall provide a stormwater plan showing roof drains being connected to the public storm sewer.
8. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))

9. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
10. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)
11. Based on historical documents (WDNR records: BRRS #02-13-443222, Sanborn maps, or businesses listed in City Directories), contains residual contaminated soil. If contaminated soil is encountered as part of this redevelopment, all WDNR and DSPS regulations must be followed for proper handling and disposal.
12. This site appears to require construction or permanent dewatering that may be impacted by on-site groundwater contamination. Confirm with James Brodzeller of the WDNR regarding whether a WPDES permit for contaminated water is required (608.275.3281). Send proof of WDNR's determination to Brynn Bemis (608.267.1986, bbemis@cityofmadison.com).
13. The Applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number:
 - a) Building Footprints
 - b) Internal Walkway Areas
 - c) Internal Site Parking Areas
 - d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
 - e) Right-of-Way lines (public and private)
 - f) Lot lines or parcel lines if unplatted
 - g) Lot numbers or the words unplatted
 - h) Lot/Plat dimensions
 - i) Street names
 - j) Private on-site sanitary sewer utilities (including all connections to public sanitary)
 - k) Private on-site storm sewer utilities (including all connections to public storm)All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email CAD file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.

14. Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer. (POLICY AND MGO OVER 10,000 SF OF IMPERVIOUS AREA 10.29 and 37.05(7)(b))
15. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required. (NOTIFICATION)

16. Complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.
17. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. MGO 37.05(7) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
18. The project appears to require construction dewatering. A dewatering plan shall be submitted to City Engineering as part of the Erosion Control Plan.
19. This project appears to require permanent dewatering. A permit to connect to the public stormwater system shall be required from City Engineering. Additionally, a permit for non-storm discharge to the storm sewer system from the City/County Health Department shall be required.
20. The construction of this project will require the applicant shall enter into a City / Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum. (MGO 16.23(9)c)
21. The approval of this zoning approval does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. (MGO 16.23(9)(d)(6))
22. The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development. (POLICY)
23. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction. (POLICY)
24. The Applicant shall provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system. (POLICY)
25. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01)
26. All damage to the pavement on Division & Helena, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)
27. The Applicant shall Construct Sidewalk to a plan approved by the City.

City Engineering – Mapping (Contact Jeffrey Quamme, (608) 266-4097)

28. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record

29. Applicant has indicated that they may propose to place landscaping features and improvements within the adjacent bike path right of way. These improvements would require an encroachment agreement with the City of Madison and an annual fee. This would require an application with the Office of Real Estate Services to draft and administer the agreement along with the required application fee. Applicant shall also be aware that any such proposal will be subject to the rights and the need to coordinate with any utility already within the bike path right of way.

30. The existing 12' easement for driveway purposes over the southwest 12 feet of this site shall be released prior to final site plan sign off.

31. Applicant shall obtain a permit to work in the adjacent bike path right of way for the grading required within the right of way in conjunction with this project. Applicant shall also be responsible to obtain approvals from any utilities to change the grade over any utilities lying within the area to be regarded.

32. Assessor's records indicate ownership is David Pederson & Erik Wick. Record deed transferring property to Krupp Grove Family LTD Partnership.

33. The addresses of 418 Division St and 2096 Helena St are being retired with the demolition of the building. The address of the proposed apartment building is 2098 Helena St.

The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.

34. Submit a PDF of all floor plans to izenchenko@cityofmadison.com so that a preliminary interior addressing plan can be developed prior to plans being submitted for permit review. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.

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

35. The applicant shall install landscaping and/or a physical barrier (possible solution fencing) to prevent negative impacts to the public path adjacent this site. This may be installed onsite or on public property through a Privilege in Streets permit.

36. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.

37. 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.
38. 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.
39. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
40. The public Right-of-Way shall not be encumbered by a private entities MGO code requirements and/or business requirements unless the current/proposed geometry works with out diminishing the existing public amenities.
41. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
42. 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 – 25 feet behind the property line at streets and 10 feet at driveways.). If applicant believes public safety can be maintained they shall apply for a waiver of MGO 27.05(2) (bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the waiver shall be the determination of the City Traffic Engineer.

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

43. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (608-266-4682).
44. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
45. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
46. A vehicle parking reduction will be required per Section 28.141(5). Per Table 28I-3 Off-Street Parking Requirements, a minimum of one (1) parking space per dwelling unit is required (31 parking spaces). Submit a request for a parking reduction with the final plan submittal including information to support the argument for reducing the required number of spaces.
47. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e). Final plans shall show the required van accessible stall located on the shortest accessible route of travel from adjacent parking to an accessible building entrance. A van accessible stall is a minimum of 8 feet wide with an 8 foot wide striped access aisle. Show the required signage at the head of the stall.
48. Submit the required landscape worksheet as well as the landscape plan stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.

49. Submit a rooftop plan showing the location of any proposed rooftop mechanical equipment and screening. All rooftop equipment shall be screened from view from adjacent streets and public rights-of-way per Sections 28.060(2)(f) and 28.142(9)(d). Screens shall be of durable, permanent materials that are compatible with the primary building materials.
50. Show the height of the proposed building on the elevations. The maximum height is 3 stories and not more than 40 feet. Height is the average of the height of all building facades. For each facade, height is measured from the midpoint of the existing grade to the highest point on the roof of the building or structure. No individual facade shall be more than fifteen percent (15%) higher than the maximum height of the zoning district.
51. Submit a detailed key of building materials and colors with the final plan submittal.
52. If exterior lighting is provided, it must comply with City of Madison General Ordinances Section 10.085 outdoor lighting standards.
53. 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.

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

54. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Captain Jerry Buechner (608)516-9195.

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

55. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21. All unused private wells shall be abandoned in accordance with MGO 13.21.
The Madison Water Utility shall be notified to remove the water meter prior to demolition.