

**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: January 8, 2018

To: Plan Commission
From: Jenny Kirchgatter, Assistant Zoning Administrator
Subject: 5533 University Avenue

Present Zoning District: NMX (Neighborhood Mixed-Use)

Proposed Use: Demolish a grocery store and construct a mixed-use building containing 5,800 sq. ft. of commercial space and 56 apartment units.

Conditional Use: Section 28.061(1) and 28.151 Dwelling Units in Mixed-Use Buildings: More than 8 dwelling units in a mixed-use building is a Conditional Use.

Section 28.151 Dwelling Units in Mixed-Use Buildings: For a building with a street-facing width greater than forty (40) feet, less than 75% non-residential frontage facing the primary street requires conditional use approval.

Section 28.151 Dwelling Units in Mixed-Use Buildings: Less than seventy-five percent (75%) non-residential ground floor area requires conditional use approval.

28.064(3)(b): Building height exceeding the maximum may be allowed with conditional use approval.

28.064(4)(a): A building containing two or more uses that exceeds 10,000 sq. ft. in floor area may be allowed as a conditional use.

Plan Commission Review: Section 28.185: Demolition of a principal building requires Plan Commission approval.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project): None.

GENERAL OR STANDARD REVIEW COMMENTS

1. 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).
2. 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.
3. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
4. Clearly show the useable open space areas on the final plans. Show the structured useable open space areas at roof decks, porches, and balconies, and identify each qualifying at-grade usable open space area on the final plans. Roof decks, porches, and balconies may be used to meet up to seventy-five percent (75%) of the minimum open space requirement, provided that minimum dimensional requirements are satisfied. Usable open space at ground level shall be in a compact area of not less than two hundred (200) square feet, with no dimension less than eight (8) feet and no slope grade greater than ten percent (10%). Usable open space shall be outside of a required front or corner side yard, as extended to the rear lot line. Usable open space shall not include areas occupied by buildings, driveways, drive aisles, off-street parking, paving and sidewalks, except that paved paths no wider than five (5) feet and pervious pavement may be included as usable open space.
5. On the building elevations, show the rear yard building height transition to the abutting residentially zoned property. Where the NMX District abuts a residential district at the rear or side lot line, building height at the rear or side yard setback line shall not exceed two (2) stories/twenty-five (25) feet. From this point, building height may increase at a ratio of one foot of rise to one foot of horizontal distance away from the property line, (a 45° angle) up to the maximum allowed height.
6. As each commercial tenant space is leased, the entire development must reflect compliance in the required amount, type and number of vehicle and bicycle parking spaces, to be reviewed prior to obtaining Zoning approval for each use.
7. Provide the minimum required number of bicycle parking spaces distributed as both *Short Term* and *Long Term* bicycle parking for the residential and commercial uses, as required per Sections 28.141(4) and 28.141(11). A minimum of 56 resident bicycle parking spaces are required plus six (6) guest stalls. A minimum of three (3) short-term bicycle stalls shall be required for the commercial uses. Identify and dimension the bicycle stalls, including the access aisles, on the final plans. Provide details of ground mounted and wall mounted bicycle rack designs.
8. Submit the landscape plan and landscape worksheet stamped by the registered landscape

architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.

9. Screening is required adjacent the Zoning district boundary along the southwest property line. Screening shall be provided along side and rear property boundaries between commercial/ mixed-use districts and residential districts. Screening shall consist of a solid wall, solid fence, or hedge with year-round foliage, between six (6) and eight (8) feet in height. Height of screening shall be measured from natural or approved grade. Berms and retaining walls shall not be used to increase grade relative to screening height. Submit a detail of the screening fence with the final plans.
10. Submit the 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.
11. Provide details showing that the primary street façade meets the door and window opening requirements of Section 28.060(2)(d). For nonresidential uses at ground floor level, windows and doors or other openings shall comprise at least sixty percent (60%) of the length and at least forty percent (40%) of the area of the ground floor of the primary street facade. At least fifty percent (50%) of windows on the primary street facade shall have the lower sill within three (3) feet of grade. For residential uses at ground level, a minimum of fifteen percent (15%) of the ground level of residential facades or side and rear facades not fronting a public street shall consist of windows and door openings. On upper stories, window or balcony openings shall occupy a minimum of fifteen percent (15%) of the upper-story wall area.
12. 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.
13. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

NMX ZONING CRITERIA

Requirements	Required	Proposed
Front Yard Setback	25' maximum	17.0'
Side Yard Setback	Two-story or higher: 6'	35.7' Northwest 16.0' Southeast
Rear Yard Setback	20' Section 28.064(3)(d)	22.6' (5)
Usable Open Space	160 sq. ft. per lodging room or 1-bedroom unit; 320 sq. ft. for >1-bedroom units (11,040 sq. ft.)	11,140 sq. ft. (4)
Maximum Lot Coverage	75%	70.5%
Maximum Building Height	3 stories/ 40'	4 stories

Section 28.064(3)(d): Rear or side yard height transition to residential districts. Where the NMX District abuts a residential district at the rear or side lot line, building height at the rear or side yard setback line shall not exceed two (2) stories/twenty-five (25) feet. From this point, building height may increase at a ratio of one foot of rise to one foot of horizontal distance away from the property line, (a 45° angle) up to the maximum allowed height. Transitions exceeding this height and/or ratio limitation require conditional use approval.

Site Design	Required	Proposed
Number Parking Stalls	Multi-family dwelling: 1 per dwelling (56) General retail; service business; office: 1 per 400 sq. ft. floor area (15) (71 total)	28 surface 61 underground (89 total) (6)
Accessible Stalls	Yes	Yes
Loading	Not required	None
Number Bike Parking Stalls	Multi-family dwelling: 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (56) 1 guest space per 10 units (6) General retail; service business; office: 1 per 2,000 sq. ft. floor area (3) (65 total)	10 surface 54 underground (64 total) (6)(7)
Landscaping and Screening	Yes	Yes (8)(9)(10)
Lighting	Yes	Yes
Building Forms	Yes	Commercial Block Building (11)

Other Critical Zoning Items	
Urban Design	Yes UDD #6
Historic District	No
Floodplain	No
Adjacent to Park	No
Barrier Free (ILHR 69)	Yes
Utility Easements	Yes
Wetlands	No
Wellhead Protection District	No