



**Project Address:** 1050 East Washington Avenue  
**Application Type:** Conditional Use  
**Legistar File ID #** [53863](#)  
**Prepared By:** Colin Punt, Planning Division  
Report includes comments from other City agencies, as noted.  
**Reviewed By:** Kevin Firchow, AICP, Principal Planner

## Summary

### Applicant &

**Property Owner:** Hellen Bradbury; Stone House Development; 1010 E. Washington Ave, Suite 101; Madison, WI 53703

**Contact Person:** Paul Raisleger; Eppstein Uhen Architects; 309 W. Johnson St. Suite 202; Madison, WI 53703

**Requested Action:** Approval of four conditional uses to construct an 11-story mixed use building with commercial/office space, apartments, and a youth arts center at 1050 East Washington Avenue:

- Conditional use for building height in excess of 5 stories/68 feet (§28.084(3)(c) MGO)
- Conditional use for dwelling units in a mixed-use building (§28.082 MGO)
- Conditional use for an arts, technical, or trade school (§28.082 MGO)
- Conditional use for general retail (§28.082 MGO).

**Proposal Summary:** The applicant is seeking approval to build an 11-story building at 1050 East Washington Avenue with commercial/office space, market rate apartments, on-site parking, 11th-floor common space, and a four-story youth arts center fronting on East Mifflin Street.

**Applicable Regulations & Standards:** The applicant is requesting four conditional use approvals. Standards for conditional use approval are found in §28.183 MGO.

**Review Required By:** Plan Commission and Urban Design Commission.

**Summary Recommendations:** The Planning Division recommends that the Plan Commission find the standards met and **approve** the conditional uses to construct an 11-story mixed-use building with commercial/office space, market rate apartments, and a four-story Youth Arts Center at 1050 East Washington Avenue subject to input at the public hearing and the conditions from reviewing agencies in this report.

## Background Information

**Parcel Location:** The subject site is a 93,389 square-foot (2.14-acre) parcel located on the northeasterly half of the block bounded by East Washington Avenue, North Ingersoll Street, East Mifflin Street, and North Brearly Street. The parcel has frontage along East Washington Avenue and Ingersoll and Mifflin Streets. It is within Aldermanic District 2 (Zellers), Urban Design District 8, Tax Increment Financing District 36, and the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The site, zoned TE (Traditional Employment District), is currently vacant. Informal activities supporting the existing Lyric building to the southwest on the same block occur on site.

**Surrounding Land Uses and Zoning:**

- Northwest:** Across East Mifflin Street, Lapham Elementary School, zoned TR-V1 (Traditional Residential – Variable 1);
- Southwest:** 11-story Lyric mixed-use building, zoned TE (Traditional Employment);
- Southeast:** Across East Washington Avenue, a small manufacturing building and carwash, both zoned TE, and a 3-story apartment building, zoned PD (Planned Development District); and
- Northeast:** Across North Ingersoll Street, small commercial uses and a two-unit, zoned CC-T (Commercial Corridor – Transitional), and a mix single-family homes, 2-, 3-, and 4-units, zoned TR-V1.

**Adopted Land Use Plan:** The [Comprehensive Plan](#) (2018) recommends RMU (Regional Mixed Use) for the East Washington Avenue half of the block and MR (Medium Residential) for the East Mifflin Street half. The [Tenney-Lapham-Old Market Neighborhood Plan](#) (2008) recommends adding employment and medium density residential for 1000 block of East Washington Avenue. It states that businesses along East Washington Avenue should be consistent with the Employment designation; retail is not acceptable. [East Washington Capitol Gateway Corridor](#) (2008) recommends the East Washington Avenue half of the block for employment and the East Mifflin Street side as medium-density residential/employment.

**Zoning Summary:** The subject property is zoned TE (Traditional Employment District):

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	93,467 sq. ft.
Lot Width	50'	281'
Front Yard Setback	None	Adequate
Side Yard Setback	None unless needed for access	Adequate
Rear Yard Setback	Lesser of 20% lot depth or 20'	Adequate
Usable Open Space	20 sq. ft./ bedroom (3,460 sq. ft.)	Adequate (See Zoning Comment 7)
Maximum Lot Coverage	85%	85% (See Zoning Comment 6)
Minimum Building Height	22' measured to building cornice	11 stories
Maximum Building Height	5 stories/ 68'	11 stories (See Zoning Comment 8)

Site Design	Required	Proposed
Number Parking Stalls	<b>Multi-family dwelling:</b> 1 per dwelling (124) <b>General retail; office; service business:</b> 1 per 400 sq. ft. floor area (131) <b>School arts, technical or trade:</b> 1 space per classroom + 1 space per 5 students of legal driving age based on the maximum number of students attending classes at any one time (TBD)	295  (See Zoning Comments 9 & 10)
Accessible Stalls	Yes	Yes
Loading	2 (10' x 50')	2 loading areas (See Zoning Comment 12)

Number Bike Parking Stalls	<b>Multi-family dwelling:</b> 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (124) 1 guest space per 10 units (12) <b>General retail; office; service business:</b> 1 per 2,000 sq. ft. floor area (26) <b>School arts, technical or trade:</b> 1 space per 5 students (TBD)	150 indoor 66 outdoor (216 total)  (See Zoning Comments 9-11)
Landscaping and Screening	Yes	Yes (See Zoning Comment 13)
Lighting	Yes	Yes
Building Forms	Yes	Flex building

<b>Other Critical Zoning Items</b>	UDD 8, Barrier Free (ILHR 69), Utility Easements
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*Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator*

**Environmental Corridor Status:** The property is not located within a mapped environmental corridor.

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

## Related Approvals

**Amendment to UDD 8** – In conjunction with this proposal, the applicant is seeking an amendment to Urban Design District 8 §33.24(15)(e)3 MGO to change the maximum allowable height of the street façade on North-South Streets for Block 4a from 3 stories to 4 stories and the minimum and maximum setback on North-South Streets from 5-10 to 7-10. See Legislative Item No. [53968](#) for more details on this request.

**Certified Survey Map** – A one-lot CSM submitted in conjunction with the proposal would combine 0.5 and 1.37-acre properties on the eastern half of the block, which were created via CSM during the review and approval process for the first Lyric phase. See Legislative Item No. [53871](#) for more details.

## Project Description

The applicant is seeking approval to build an 11-story building at 1050 East Washington Avenue with commercial/office space, market rate apartments, on-site structured parking, 11th-floor common space, and a four-story youth arts center fronting on East Mifflin Street. The site includes the northeasterly half of the block bounded by East Washington Avenue, North Ingersoll Street, East Mifflin Street, and North Brearly Street. The previously approved and constructed Lyric phases occupy the southwesterly half of the block. The applicant anticipates construction to begin on the 326,000-square foot building in March 2019.

The proposal includes an 11-story building parallel to East Washington. Uses for this portion of the proposal include commercial/retail, office, and market rate residential with common space on the 11th floor. The proposal includes approximately 53,000 gross square feet of usable tenant space on the first three floors along East Washington Avenue. A residential tower above the commercial space includes 124 apartments units on the fourth through tenth floors. The unit mix is composed of 35 studios, 40 1-bedroom units, and 49 two-bedroom units. The 11<sup>th</sup> floor includes approximately 2,478 square feet of common areas, as well as a 5,130-square foot roof terrace.

The proposal also includes a 4-story portion housing the 61,000-square foot community-based Madison Youth Arts Center (MYAC) parallel to Mifflin Street. The MYAC facility will provide classrooms, offices and performance spaces for youth ages Pre-K to High School. The Center is a partnership between the Madison Youth Choirs and Children's Theater of Madison not-for-profit organizations. The building will provide space for these organizations for rehearsals and after school education programming, as well as administrative offices. MYAC will also provide opportunities for intergenerational engagement, classrooms, and a 300-seat auditorium. A secure entry point (Reception Desk) is provided with clear visibility from Mifflin Street entrance and to the children drop off zone (located in the proposed parking structure).

The first three floors within the center of the block will include 295 vehicle parking spaces. The parking ramp will be shared by multiple tenants and provide off-peak parking for additional community uses, including the MYAC. The applicant's parking calculations show a minimum parking requirement of 127 for the proposed office users (114 with a code-compliant 10% reduction), 124 spaces for the apartment units (one space per unit), 29 spaces for MYAC offices, and 90 spaces for MYAC performances. Because MYAC, office, and residential users differ greatly when parking is needed, the shared parking calculation results in a minimum requirement of 253 spaces. Vehicular access will primarily come from Ingersoll Street. Secondary access will be through a connection to the existing Lyric Phases out to Brearly Street. Long-term bicycle parking is provided through 150 indoor parking spaces. Another 66-short term outdoor bicycle parking spaces are also provided on site. A loading dock for MYAC is included between the MYAC and the previous Lyric building phase, accessed from East Mifflin Street. Loading for the tower portion of the proposal is located off Ingersoll Street.

A series of roof plazas and green spaces between the 11-story tower and the MYAC are planned on top of the three-level parking ramp. These separate plazas will provide outdoor access to patrons and users of MYAC and commercial tenants in the mixed-use building. Pre-function and performance spaces on the fourth floor of the MYAC will have access to this outdoor common space.

Publicly accessible plazas with seating and green space are located at the two main entries at the corner of Ingersoll Street and Mifflin Street and at Ingersoll Street and East Washington Avenue. A landscaped through-block walkway between this proposal and the previous Lyric phases to the southwest is included to connect East Washington Avenue and East Mifflin Street.

Exterior materials on the mixed-use building on East Washington will be predominantly masonry with metal panel accents. Larger glass areas occupy the corners and upper floors. Residential balconies face the East Washington façade and the smaller 11th floor is set back from the street facade. Exterior materials for the MYAC are a mix of glass, brick, and metal panel. Various metal panel accents are integrated in limited amounts. The forms, colors and textures on the MYAC portion are intended to illustrate the creative nature of the mission and vision of the arts organizations. The entry plaza at the corner if Ingersoll and Mifflin provides a buffer zone between the street and main entry. Areas for art are located on Mifflin Street and murals are planned for the Ingersoll Street façade on the parking ramp wall.

## **Analysis & Conclusion**

This request is subject to the standards for demolition permits and for conditional uses. This section begins with a summary of adopted plan recommendations, followed by a review of UDC actions, and finally conditional use standards.

## **Adopted Plan Recommendations**

Three adopted plans include recommendations for this area, which are split between the portion of the block along East Washington Avenue (typically a more intense commercial or mixed-use recommendation) and East Mifflin Street (typically a more residential recommendation).

The Comprehensive Plan (2018) recommends Regional Mixed Use (RMU) for the East Washington Avenue and Medium Residential (MR) for the East Mifflin Street. The RMU category represents the most intensively developed areas outside of downtown. These areas typically include large-scaled sites supporting multi-story buildings with a variety of multifamily housing options and commercial activities. There is no height limit in RMU districts. Medium Residential areas may include a variety of relatively intense housing types, including rowhouses, small, and large multifamily buildings. A limited amount of nonresidential uses may also be located within residential categories, including recreation facilities, schools, places of assembly, and small civic facilities.

The Tenney-Lapham-Old Market Neighborhood Plan (2008) recommends Employment uses for the East Washington Avenue half of the block and a mix of Employment and Medium Density Residential-2 land use (26-40 units/acre with mix of single-family detached houses, two- and three-flats, row houses, and small apartment buildings) recommendations for the East Mifflin Street half. The plan notes that businesses along East Washington Avenue should be consistent with the Employment designation, which does not include retail.

The East Washington Capitol Gateway Corridor (2008) recommends employment uses for the East Washington Avenue half of the block and employment or medium-density residential uses for the East Mifflin Street half. The plan also notes that future plans for East Mifflin Street from Blair to Ingersoll Streets should include a better defined streetscape at a walkable, pedestrian scale with on-street parking. The area should remain mixed use with employment, residential and public uses connected by existing community spaces.

Both the Tenney-Lapham-Old Market Neighborhood Plan and East Washington Capitol Gateway Corridor share the same facade and maximum building height recommendations. The plan recommends a maximum internal building height of 8 stories, with two stories of bonus building height in exchange for certain amenities, plus a third smaller bonus story, per UDD 8, and a maximum facade of five stories along East Washington Avenue. The maximum facade height along East Mifflin Street is recommended to be three stories, which increases within a building envelope determined by measuring 30 degrees from the top of the facade back to the mid-block.

## **Urban Design District 8**

At its January 2, 2019 meeting, the Urban Design Commission (UDC) considered an advisory recommendation on a text amendment to UDD 8 and the requested initial/final approval for the proposal at 1050 E. Washington Avenue. First, the UDC approved two bonus stories per §33.24(15)(e)(12)(b)ii MGO plus a third bonus story limited to ten percent (10%) of the area of Block 4b. The total 11th story area for both this and the Lyric I towers is less than the maximum permitted 10,000 square feet combined. UDC also supported a setback greater than the 15' maximum per §33.24(15)(c)(2)(a) MGO to allow for articulation and usable public open space, specifically to enable inclusion of a public entry plaza at the corner of East Washington Avenue and North Ingersoll Street. However, the location of the sidewalk, the terrace location and width, and the proposed plaza area may be altered due to the recommended addition of a turn lane on Ingersoll Street. All UDC-required setbacks would be required to remain in conformance. The UDC also found that the building mass was consistent with applicable standards and the fascia of a structural beam on the northwest edge above the fourth floor of the MYAC that extends into the required 30 degree stepback along East Mifflin Street is permissible under §33.24(15)(e)1 MGO, which states, that "any non-habitable space from architectural features shall not be included in the height

calculation.” Finally, the UDC supported and forwarded to Common Council an amendment (Legislative ID [53968](#)) to §33.24(15)(e)3 MGO to change the maximum allowable height of the street façade for Block 4a from 3 stories to 4 stories and the minimum and maximum setback on north-south streets from 5’-10’ to 7’-10’. Please see the attached report for more information.

### **Conditional Use Standards**

The applicant is requesting four conditional use approvals: conditional use for building height in excess of 5 stories/68 feet in a TE Zoning district (§28.084(3)(c) MGO), conditional use for dwelling units in a mixed-use building in a TE district (§28.082 MGO), conditional use for an arts, technical, or trade school in a TE district (§28.082 MGO), and conditional use for general retail in a TE district (§28.082 MGO). In regards to conditional use approval standards, the Plan Commission shall not approve a conditional use without due consideration of the City’s adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of §28.183(6) MGO are met. While staff believes that all applicable standards of approval can be found met, staff has comments regarding two standards.

Approval Standard 6 requires that “measures...have been or will be taken to provide adequate ingress and egress, including all off-site improvements, so designed as to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets.” Similarly, Standard 5 requires that “adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit and other necessary site improvement have been or are being provided.” Based on the Traffic Impact Analysis (TIA) submitted by Ayres Associates, the applicant’s traffic engineering consultant, City Traffic Engineering has determined that an additional dedicated left turn lane from North Ingersoll St. onto East Washington Avenue is necessary to address projected vehicular traffic increases due to the proposed project and mitigate the impact of said traffic on the Tenney-Lapham neighborhood. At the time of report writing, staff does not anticipate the building location would move, though this will necessitate a widening of the street a minimum of 7 feet toward the subject property. This will impact the location of the sidewalk, the terrace location and width, and the proposed plaza area. The need for this improvement was first anticipated and communicated by the Traffic Engineer to the applicant during the review of the adjacent Lyric 1 building. The additional information provided by the TIA confirmed the need for the turn lane. See the attached memo from the Traffic Engineering Division regarding the Ingersoll Street turn lane. If this turn lane is not provided for as part of the development, staff does not believe Standard 6 or the related Standard 5 can be found met and would not recommend approval of this proposal.

### **Conclusion**

The proposed half-block redevelopment in this location is generally consistent with recommendations in adopted plans, and would make a positive impact in the area, continuing the replacement of vacant buildings and lots with office, retail, educational, civic, and residential spaces. The location is well-supported by transit service, bicycle infrastructure, and amenities such as employment opportunities, an elementary school, parks, a full-service grocery store, and neighborhood-supporting retail and restaurant spaces are within walking distance of the proposal.

On balance, staff believes that it is possible for the project to meet the applicable conditional use approval standards, subject to the recommended conditions including the recommendations from Traffic Engineering regarding the need to accommodate a left turn lane based on the projected impacts of this development.

At time of writing, staff has received written comments from the Tenney-Lapham Neighborhood Association, which endorses the proposal and encourages approval. Staff has not received any other written comments.

## Recommendation

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

The Planning Division recommends that the Plan Commission find that the conditional use standards can be met, and **approve** the four conditional uses to construct an 11-story, 124-unit mixed unit building with four-story youth arts center and structured parking despite the building's intrusion into the UDD 8-required angled stepback along East Mifflin Street. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

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

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

1. Applicant shall design plaza, terraces, landscaping, and bicycle parking at corner of East Washington Avenue and North Ingersoll Street to accommodate an expanded street width, 8-foot wide terraces, and 5-foot wide sidewalks, with details to be approved by Planning, Zoning, Urban Design Commission, Engineering, Traffic Engineering, Forestry, and Fire Department staff.
2. A grass terrace or planting area a minimum of 10 linear feet on either side of existing terrace trees on East Washington Avenue shall be installed.

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

3. Staff in anticipating that future Conditional Uses will be sought as tenants are identified for spaces in the mixed-use building. These Conditional Uses will require additional approvals from the Plan Commission.
4. On the site plan, show the building setbacks as measured to the property lines.
5. Provide a dwelling unit summary with the numbers and types of dwelling units (number of bedrooms) per floor.
6. Provide a calculation and plan exhibit for lot coverage with the final submittal. Identify the pervious and planted areas located at ground and rooftop level. The lot coverage maximum is 85%. 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.
7. Provide calculations for useable open space and clearly show the useable open space areas on the final plans. In addition to showing structured useable open space at roof decks, porches, and balconies, 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.
8. On the building elevations, show the height of the building per City Datum. Per Section 28.134(3) Capitol View Preservation, no portion of any building or structure located within one (1) mile of the center of the

State Capitol Building shall exceed the elevation of the base of the columns of said Capitol Building or one hundred eighty-seven and two-tenths (187.2) feet, City datum. Provided, however, this prohibition shall not apply to any church spires, flagpoles, communication towers, elevator penthouses, screened air conditioning equipment on existing buildings and chimneys exceeding such elevation, when approved as conditional uses. For the purpose of this subsection, City datum zero (0.00) feet shall be established as eight hundred forty-five and six-tenths (845.6) feet above sea level as established by the United States Coast and Geodetic Survey.

9. As each tenant space is leased, the entire development must reflect compliance in the required amount, type and number of auto and bicycle parking spaces, to be reviewed prior to obtaining zoning approval for each use.
10. Work with Zoning staff to establish the vehicle and bicycle parking requirements for the Madison Youth Arts Center. The Madison Youth Arts Center will be classified as a School, Arts, Technical or Trade. The vehicle parking requirement is one (1) space per classroom plus one (1) space per five (5) students of legal driving age based on the maximum number of students attending classes at any one time. The bicycle parking requirement is one (1) space per five (5) students.
11. Bicycle parking for this project shall be provided per Section 28.141(4) and Table 28I-3 as uses are established for the various spaces in the development. Per Section 28.141(11), required bicycle parking shall comply with short and long-term bike parking requirements for both residential and non-residential uses to be shown on the final plan sets. Show the dimensions of the bicycle stalls and the access aisles. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. The access aisle must not be obstructed by vehicles, columns or other structures. Provide details of the proposed bike racks including any structured or wall mount bike racks.
12. Required loading facilities shall comply with MGO Section 28.141(13). Provide two (10' x 50') loading areas with 14' vertical clearance to be shown on the plan. The loading areas shall be exclusive of drive aisle and maneuvering space. The required number of loading spaces may be reduced through conditional use approval. Note the submitted plans do not clearly indicate the size of the two loading areas.
13. 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.
14. 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.
15. 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.



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

16. Project shows a pipe burst for the City sewer main in E. Washington Ave. Work will need completed by a prequalified contractor to work within the City R.O.W. Pipe material and size used for pipe bursting will need to be approved by City Engineering. Contact: Mark Moder, [mmoder@cityofmadison.com](mailto:mmoder@cityofmadison.com), (608)261-9250.

17. 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 sign-off. (MGO 16.23(9)(d)(4))

18. 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)

19. The site plans shall be revised to show the location of all rain gutter down spout discharges. (POLICY)

20. 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](mailto:bstanley@cityofmadison.com) (East). 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.

21. This project appears to require construction dewatering. A dewatering plan shall be submitted to City Engineering as part of the Erosion Control Permit application and plan. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.

22. 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 also be required. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to issuance of the connection and non-storm discharge permits.

23. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
24. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm> (NOTIFICATION)
25. The area adjacent to this proposed development has a known flooding risk. All entrances shall have a elevation of 852.00 or higher. This includes garage entrances. (POLICY).
26. 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.
27. 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>.
28. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 24-hr, 100-yr design storm. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin P.E. or licensed Plumber that show this requirement has been met.
29. This project will require a concrete management plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. (POLICY)
30. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing storm sewer. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 37.05(7))
31. The construction of this project will require that 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)

32. 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))
33. 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)
34. The Applicant shall Construct Street, Sidewalk, Terrace, City Utility & Lighting improvements to a plan approved by the City.

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

35. 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.
36. The Access Easements per Doc No's 5238076 & 5377412 shall be shown and noted on the site plans. An addendum shall be recorded acknowledging the cross access that will be utilized through this proposed building northeasterly to North Ingersoll Street.
37. The release of existing MG&E utility easements noted on the plan that are not necessary for this project are the responsibility of the applicant / owner. Note any easements to be released on the site plans.
38. Submit a Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan for each floor on a separate sheet for the development of a complete interior addressing plan. 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 application submittal for the final Site Plan Approval with Zoning. The approved Addressing Plan shall be included in the final application. For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved. The final revised Addressing Plan shall be submitted by the applicant to Zoning to be attached to the final filed approved site plans.
39. Apartment unit counts on the project grid table do not match the unit counts on the actual floor plans (Per the floor plan drawing titles). Reconcile for accurate apartment unit counts and floor plans.
40. A Public Sidewalk Easement shall be granted on the pending Certified Survey Map to accommodate sidewalk that will cross the north side of this lot due to the required turn lane to be added along the south side of N Ingersoll Street.

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

41. The applicant shall work with Traffic Engineering to provide a Public Sidewalk Easement or dedication of sufficient size to accommodate an additional southbound turn lane with a queue length of 200' at North Ingersoll Street and East Washington Avenue including an eight (8) foot terrace, five (5) foot sidewalk and an additional (1) foot behind sidewalk for maintenance. The easement or dedication shall be granted by the pending Certified Survey Map.
42. The applicant shall work with Traffic Engineering and Engineering to install pedestrian level lighting on East Mifflin Street and South Livingston Street for which they shall be financially responsible.
43. 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; vision triangles; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
44. 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.
45. 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.
46. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
47. The applicant(s) shall maintain a 5 foot wide, Americans with Disabilities Act (ADA) compliant, pedestrian walkway for the duration of the project on all street frontages classified as a collector or higher. The applicant shall also maintain a 5 foot wide bicycle lane for the duration of the project on all street frontages with existing bicycle facilities. Exceptions to this requirement may be granted by Traffic Engineering on a limited term basis if and when the applicant can show a public safety concern and they also provide a clear date when the pedestrian/bicycle facilities are to be restored. All closures shall be designed by the applicant, in accordance with the Manual on Uniform Traffic Control Devices (MUTCD), to be submitted and approved by Traffic Engineering.
48. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
49. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.
50. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to;

substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.

51. All parking ramps as the approach the public Right-of-Way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the Right-of-Way. If applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.
52. Parking deck is insufficiently labeled/dimensioned for a proper review. If the parking does not meet MGO 10.08 the applicant can expect to be required to make major alteration which may or may not impact structural elements of this site.
53. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds four stories prior to sign-off to be reviewed and approved by Austin Scheib, (266-4766) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
54. "Stop" signs shall be installed at a height of seven (7) feet at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
55. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
56. Include a parking plan demonstrating how specific stalls, to be used by the commercial site, will be reserved. Include any signage to be used to achieve this goal in the submitted plans.
57. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
58. Applicant shall submit for review a Commercial Delivery Plan. This plan will include times, vehicle size, use of loading zones and all related turning movements.
59. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.
60. Note: This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, protected walkways will be constructed and maintained as soon as possible and little to no access to the Public Right-of-Way on East Washington Avenue will be granted for construction purposes. Provide a detailed construction plan to Traffic Engineering for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff.

**Fire Department** (Contact Bill Sullivan, 261-9658)

61. Aerial fire lanes shall be free from overhead obstructions. Obstructions shall not be located between the

building and an aerial fire lane. Alternative measures to allow obstructions may include specific tree selection and placement; increased fire protection systems; and/or increased building fire resistance. Alternatives must be approved by MFD prior to site plan approval..

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

62. The proposed 8-IN diameter water lateral connection off N Ingersoll St is located too close to an existing 25-IN diameter terrace tree and must be relocated to not pass closer than 15-FT from the existing tree. Revise drawing and submit to Water Utility for review.

63. 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/plumberscontractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

64. Madison Water Utility will be required to sign off as part of the approval review associated with this Land Use Application/Site Plan Review prior to the issuance of building permits for the proposed development.

65. Contact Madison Water Utility to discuss potential reconfiguration of E Mifflin St dual laterals - with a single lot configuration the service redundancy may be eligible for simplification.

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

66. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the North Park -Infrastructure Impact Fee district. Please reference ID# 15162.2 when contacting Parks about this project.

67. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – [bhofmann@cityofmadison.com](mailto:bhofmann@cityofmadison.com) or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.

68. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266- 4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2018/Part1.pdf>. Any

tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

69. Contractor shall contact City Forestry Brad Hofmann bhofmann@cityofmadison.com or 266-4816 at least one week prior to planting to schedule inspecting the nursery stock and review planting specifications with the landscaper.
70. Additional street trees are needed for this project. All street tree planting locations and trees species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction.

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

71. Metro Transit staff, as well as our passengers and other stakeholders in the Capitol East District, have identified that the existing hourly bus service frequency that operates on Route 6 along East Washington Avenue on weekends and holidays is inadequate for the densities and uses that are being proposed, and have been previously approved.
72. As part of the 2019 budget process, Metro Transit again submitted an operating budget request that includes an investment proposal that would afford an increase to the bus service frequency in the East Washington Avenue corridor on weekends and holidays, to more frequent trips running every 30 minutes. The supplemental budget request for an approximate annual operating cost of \$450,000 - that would be necessary to implement this service frequency increase, by using four additional buses on weekends and holidays - was not adopted in either the 2018 or 2019 operating budgets.
73. In coordination with any public works improvements, the applicant shall maintain or replace the concrete terraces at the existing Metro bus stops on the north side of East Washington Avenue, west of North Ingersoll Street (#1650).
74. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.

75. Metro Transit operates daily service along East Washington Avenue through the Ingersoll Street intersection. Bus stop ID #1650 is adjacent the proposed project site along the north side of East Washington Avenue, with the bus stop zone encompassing the area from the existing bus stop sign pole east through the preceding intersection. Trips operate at least once every 30 minutes on weekdays, but only pass once an hour each direction on weekends.
76. Metro Transit schedules contractually defined driver shift changes on a daily basis, and vehicle swaps as needed, using this bus stop zone. This bus stop zone can be occupied by two or more buses, during peak operating periods, where buses may be parked for extended periods of time to accomplish these operational requirements. The applicant shall accommodate these operational requirements and consult with Metro Transit when coordinating any traffic control plans or street occupancy permit requests.

**Police Department**

77. The expansion of vertical density in the Central district continues to put added strain on emergency services – as well as other infrastructure. That these projects continue to be approved and built but police staffing continues to lag is very concerning to us.