



PREPARED FOR THE PLAN COMMISSION

Project Address: 1936-1938 Atwood Avenue (District 6 – Ald. Rummel)
Application Type: Planned Development Zoning Map Amendment, Demolition & Conditional Use
Legistar File ID # [54249](#) & [54038](#)
Prepared By: Chris Wells, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Property Owner: Joe Krupp; 1938 Atwood Avenue LLC; Prime Urban Properties; 2020 Eastwood Avenue; Madison, WI 53704
Contact: Kevin Burow; Knothe & Bruce Architects, LLC; 7601 University Avenue, Suite 201; Middleton, WI 53562

Requested Action: There are three requests with this proposal: 1) Approval of the demolition of a five-unit residential building; 2) Approval to rezone a portion of 1936-1938 Atwood Avenue parcel from the PD (Planned Development) District to the TSS (Traditional Shopping Street) District; and 3) Six conditional use approvals – a) to construct a mixed-use building with twenty-four (24) dwelling units in the Traditional Shopping Street (TSS) District; b) for a building in the TSS District with non-residential uses constituting less than 75-percent of the building’s ground-floor area; c) for a mixed-use building in the TSS District with non-residential uses occupying less than 75-percent of the ground-floor frontage facing the primary street, including all frontage at a street corner; d) for a building in the TSS District exceeding 3 stories and 40 feet in height; e) for a mixed-use building in the TSS District exceeding 25,000 square-foot floor area; and f) consideration of a conditional use for a private parking facility in the TSS District – all in order to construct a mixed-use building with 4,000 square-feet of commercial space and 79 dwelling units at 1936-1938 Atwood Avenue.

Proposal Summary: The applicant proposes to demolish a three-story, five-unit residential apartment building before constructing a 79-unit, mixed-use building with approximately 4,000 square-feet of commercial space and 120 structured automobile parking stalls – 84 on the lower level for the buildings residents, and 36 on the ground level. While five of these 36 ground-floor stalls will be reserved for use by the adjacent residential building (Second Street Apartments), the remaining 29 stalls will be for use by the commercial employees during business hours and by the general public after hours or on the weekend.

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].

Review Required By: Plan Commission (PC) and 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 -- 00358 rezoning a portion of 1936-1938 Atwood Avenue parcel from the PD (Planned Development) District 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 uses to demolish a five-unit residential building before constructing a 79-unit mixed-use building with 4,000 square-feet of commercial space. These recommendations are subject to input at the public hearing and the conditions recommended by reviewing agencies.

Background Information

Parcel Location: The 42,491–square-foot (0.97-acre) subject property located on the northern side of Atwood Avenue, in between First and Second Streets. 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 three-story, roughly 3,700-square-foot, five-unit, six-bedroom apartment building which was originally constructed in 1914 and a large surface parking lot.

Surrounding Land Use and Zoning:

- Northeast:** Commercial buildings with residential units above in addition to a 25-unit apartment building, all zoned TSS (Traditional Shopping Street District);
- Northwest:** Railroad Tracks, beyond which are single-family residences, zoned TR-V1 (Traditional Residential – Varied 1);
- Southeast:** Across Atwood Avenue is Monona Bank, with office on the second floor, zoned TSS District; and
- Southwest:** A 50-unit apartment building zoned PD (Planned Development).

Adopted Land Use Plans: Both the [2018 Comprehensive Plan](#) and the [Schenk-Atwood Business District Master Plan \(2000\)](#) both recommend Neighborhood Mixed-Use (NMU) for this parcel. While not pertaining specifically to the subject parcel but rather the greater block, the [Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan \(2000\)](#) recommends considering developing a transit station at Second and Winnebago Streets and a transit-oriented development in proximity to the rail station. While the [Marquette-Schenk-Atwood Neighborhood Plan \(1994\)](#) does not make any specific recommendations for the subject parcel, it does encourage the construction of quality, residential dwelling units on any floor above the ground floor or in the rear of commercial buildings to increase the overall number of residential units in the neighborhood.

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

Requirements	Required	Proposed
Front Yard Setback	No minimum	2.4'
Max. Front Yard Setback	25' maximum	2.4'
Side Yard Setback	No minimum	10.5'
Rear Yard Setback	20'	20.65'
Usable Open Space	3,160 sq ft	10,094 sq ft
Maximum Lot Coverage	85%	82%
Maximum Building Height	3 stories/40'	4 stories (a)

a) Building can exceed maximum height with conditional use approval

Site Design	Required	Proposed
Number Parking Stalls	79	120
Accessible Stalls	3	4
Loading	No	No
Number Bike Parking Stalls	87	92
Landscaping	Yes	Yes
Lighting	Yes	Yes

Other Critical Zoning Items	Utility Easements
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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 demolish an existing five-unit apartment building for the purpose of consisting of a four-story mixed-use building with approximately 4,000 square feet of rentable commercial space, 79 units, and 120 structured automobile parking stalls – 84 on the lower level for the buildings residents, and 36 on the ground level.

According to City Assessor data, the building proposed for demolition is a three-story, five-unit, six-bedroom, roughly 3,700-square-foot, apartment building, originally constructed in 1914. It currently functions as a rental property. The applicant has provided photos of the building, which are available both on the Legistar page for this project ([54038](#)) as well as in the submitted packet of materials. While the applicant has not provided an assessment of the condition of the building, looking at the submitted photographs, it appears to be in modest condition.

In order to facilitate the proposed redevelopment, the applicant is first requesting to rezone a portion of the site from the PD (Planned Development District) to the TSS (Traditional Shopping Street) District to provide consistent zoning across the project site. This “panhandle” of the adjacent parcel, a roughly 17-foot by 200-foot strip of land along the northern property line, is proposed to be combined with the parcels at 1936 and 1938 Atwood Avenue to form the 0.97-acre subject site. Note: a Certified Survey Map combining these three parcels has been submitted and is currently under review by City agencies.)

Furthermore, while the eastern half of the panhandle (roughly 17 feet by 235 feet) was already conveyed and attached to the adjacent parcel to the east, at 110 S. Second Street, it was never rezoned from PD (Planned Development District) to the TSS (Traditional Shopping Street District). Therefore as part of this proposed development, and to clean up the lingering zoning incongruity with the 110 S. Second Street parcel, both halves of the former panhandle need to be rezoned from PD to TSS in order to match the zoning of the rest of the subject parcel as well as the other adjacent parcels east to Second Street.

Lastly, the applicant is seeking approval of six conditional uses, as previously noted.

The mix of residential units includes 15 efficiency units, 37 one-bedroom, 12 one-bedroom w/ den, and 15 two-bedroom apartments. The proposed residential density for the 0.97-acre parcel is 81 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, along the northwest and southwest portions of the site, as well as via the central courtyard patio.

The main pedestrian entrance to a common vestibule serving the residential space as well as the ground-floor level of the parking garage is located at the eastern corner of the building, off of Atwood Avenue. Automobile access to this ground-level layer of structured parking stalls is located via a drive aisle which runs along the northeastern property line, taking access from Atwood Avenue. This parking level has 36 stalls, five of which are permanently reserved for the tenants of the adjacent Second Street Apartments. The other 31 stalls will be available to employees of the buildings commercial tenant spaces as well as the employees and patrons of nearby establishments. These will be paid parking stalls with controlled access and, as noted in the submitted materials, local businesses will have the option to provide their customers with ticket vouchers to cover the cost of the parking. The lower parking deck, will use the same access aisle as the ground floor level, but will enter at the northern corner of the building via the speed ramp. (Note: the access aisle will also serve as the primary access for the Second Street Apartments, a 25-unit apartment building located to the northeast of the subject site). The lower deck will contain 84 stalls which will be for the sole use of the building’s residential tenants.

Bicycle parking will be provided via the 45 covered stalls located within the ground-floor parking deck, as well as the 36 stalls (20 as floor-mounted and 16 as wall-mounted) in the lower deck. The applicant is also proposing to add 11 short-term bicycle stalls - eight in the Atwood terrace and three along the southwestern façade – for use by residential guests and commercial patrons. The applicant will need to revise their plans as they are not permitted to count bicycle stalls located in the public right-of-way towards the short-term stalls required by the Zoning Code.

The proposed building exterior includes primarily a copper-colored modular brick on the first three stories with cast stone sills, and musket grey metal siding on the fourth story. Cast stone will also clad the first level of the Atwood Avenue façade's two breaks (which accommodate the residential balconies) before transitioning to the same musket grey metal cladding as mentioned previously for the upper three floors. The main corner element, at the eastern corner of the building will be clad with slate grey metal paneling. The same slate grey paneling will be used to create an intermittent band between the second and third stories of the Atwood Avenue façade. Lastly, the windows will be vinyl and the commercial façade will be aluminum.

The landscape plan includes street trees (species to be determined by the City forester) in the Atwood Avenue terrace with sod planted for the entire stretch of terrace along the site's street frontage (accommodating the access aisle and bicycle parking stalls). Foundation plantings such as Lesser Calamint and Little Bluestem Grass will be planted in between the commercial entrances while Spirea, Honeysuckle, and Reed Grass will be planted along the southwestern and northwestern sides of the building. A Honeysuckle tree and three Serviceberry trees will be planted along the northwestern property line. Arborvitae and Twig Dogwoods will be planted along the northeastern property line to provide screening of the adjacent 2-story building as well as the trash enclosure which will be located in this area. Finally, roughly 10 planters of various sizes will be located in the central courtyard and planted with Switch Grass, Reed Grass and Beauty Onion.

Analysis and Conclusion

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 portion of the report begins with an analysis of adopted plan recommendations.

Conformance with Adopted Plans

Staff believe the proposal could be found to be consistent with the [2018 Comprehensive Plan](#) which recommends Neighborhood Mixed-Use (NMU) for this parcel. This recommendation includes relatively small existing and planned mixed-use areas that are designed to be compact and walkable. Recommended uses include residential uses, along with retail, restaurant, service, institutional, and civic uses primarily serving nearby residents. Regarding density, the Plan recommends a general density range of up to 70 dwelling units per net acre. (The proposed 79-unit building has a calculated density of 81 dwelling units per acre.) Pertaining specifically to the subject properties at 1936 and 1938 Atwood Avenue, the 2018 Comprehensive Plan's Generalized Future Land Use Map's Map Note (#12) states, "*The City may consider buildings taller than four stories in this contiguous NMU area for large parking lots/vacant areas.*"

The [Schenk-Atwood Business District Master Plan \(2000\)](#) recommends redevelopment of the subject property for market rate apartments fronting Atwood Avenue with enclosed parking. Shared off-street parking is further recommended to serve the needs of the neighboring bank, adjoining businesses and residential developments. Density for this block is recommended at 25 to 30 dwelling units per acre but the plan notes that "*higher density may be allowed depending on design quality.*" Staff note that the density of the proposed exceeds this density recommendation, though the proposal better aligned with the more contemporary 2018 Comprehensive Plan's density recommendation for this block.

The Business District Plan also includes several design guidelines to help shape the physical form of development, though it does not provide prescriptive setback or stepback dimensions as found in many of the City's more contemporary plans. Flexibility is afforded with these recommendations as the *guidelines are intended "to be considered by property owners and developers as they prepare specific development proposals"* and that *"other uses and development patterns may be proposed, but should be evaluated by the business association, neighborhood and the City for their ability to address the comprehensive goals of the Schenk-Atwood Business District Master Plan."* From a front setback standpoint, the proposed setback is in excess of three feet, consistent with the general recommendation for the subject block that states that the *"major plane of the building facade on Atwood Avenue should respect the build-to line of the adjacent buildings. Portions of the building may be set back somewhat for landscaping, patios, porches"* while building facades not on Atwood Avenue *"should be set back for landscaping, patios, porches."*

The guidelines also recommend a three-story building height limit for this block but states that a four-story building would be allowable under certain conditions. Specifically, four stories *"may permitted on selected portions of the building, such as elements at the corners and above the entry, and stepped-back portions that are away from the street front facade of the building."* In response to this recommendation and comments from staff, the applicant has sought to address by increasing the overall front building setback as proposed and by creating more distinct vertical breaks along the Atwood Avenue facade to divide the building mass into smaller bays. This reduction of mass along the frontage also includes areas for balconies. Additionally, the material transition between the third and fourth stories has been proposed with the intent to visually break up the façade, though the actual change in mass is only that of the materials, which is less than a foot. Based on the recommendation of the plan, Planning Division Staff believe that the proposed building could be found to adequately address four of the Plan's seven Master Plan Goals, including:

- #1 Enhance the business mix, including neighborhood-oriented and community destination businesses that fit the scale and character of the district and strengthen the district as an activity center;*
- #3 Strengthen the visual character of the district through streetscape improvements, public space development, attractive entrances, historic preservation and architectural guidelines for new buildings and rehabilitation of existing buildings;*
- #4 Provide adequate parking to support the business district in a manner that promotes efficient land utilization and an attractive streetscape character; and*
- #5 Promote a range of infill development opportunities that provide more residential choices and business opportunities that serve the neighborhood.*

Finally, while not pertaining specifically to the subject parcel but rather the greater block, the [Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan \(2000\)](#) recommends considering developing a transit station at Second and Winnebago Streets and a transit-oriented development in proximity to the rail station. While the [Marquette-Schenk-Atwood Neighborhood Plan \(1994\)](#) does not make any specific recommendations for the subject parcel, it does encourage the construction of quality, residential dwelling units on any floor above the ground floor or in the rear of commercial buildings to increase the overall number of residential units in the neighborhood. The Planning Division believe that the proposed building could be found to be compatible with the two above plans.

The Planning Division believes that, on balance, the proposal could be found to be consistent with adopted plans. The proposal is consistent with key Business District Plan recommendations for the subject site – such as the conversion of a surface parking lot into a mixed-use building with residential units over ground-floor commercial space, the provision of shared off-street parking stalls available to the neighboring businesses, and the removal of overhead lines along Atwood Avenue, among others. Considering the specific flexibility afforded with implementing the plan's design guidelines, staff believes it is possible that the four story mass, with proposed

setbacks and modulations, could also be found consistent with the plan provided it is determined this proposal adequately addresses the plan's overall goals. Further, this proposal is consistent with the much more contemporary and area-specific recommendations in the 2018 Comprehensive Plan for height, which notes the City can consider buildings taller than four-stories on select properties, including the subject site.

Zoning Map Amendment Standards

As previously stated, only a small portion of the site at the rear of the property is proposed to be rezoned from the PD (Planned Development) District to TSS.

The Zoning Map Amendment Standards state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City's Comprehensive Plan. 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan." 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 could be found met with this proposal. The existing five-unit, six-bedroom apartment building, originally constructed in 1914, proposed for demolition was found by the Landmarks Commission to have historic value related to the vernacular context of Madison's built environment or as the work of an architect of note, but the building itself is not historically, architecturally, or culturally significant. Relocation of the building is not considered to be practical. Finally, as discussed above, the proposed building could be found to be generally consistent with the [2018 Comprehensive Plan](#) and the [Schenk-Atwood Business District Master Plan \(2000\)](#), both of which recommend neighborhood mixed-use for this site.

Conditional Use Standards

There are six conditional uses before the Plan Commission related to this request. Each specific request should be evaluated against the standards. The Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, and finding that all of the conditional use approval standards of MGO §28.183(6) are met. Staff requests the Plan Commission give careful consideration to the standards, especially Conditional Use Standards 4, 9, and 12.

- 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."*
- 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."*

- Standard 12 states, “When applying the above standards to an application for height in excess of that allowed in the district, the Plan Commission shall consider recommendations in adopted plans; the impact on surrounding properties, including height, mass, orientation, shadows and view; architectural quality and amenities; the relationship of the proposed building(s) with adjoining streets, alleys, and public rights of ways; and the public interest in exceeding the district height limits.”

Related to each of these standards are considerations of both density and building form. The table below summarizes four other recent developments, the majority of which are four stories in height. While the proposed building exceeds the recommended density in the Business District Plan and is slightly above the Comprehensive Plan density recommendations, staff believes the proposal is generally consistent with previous approvals.

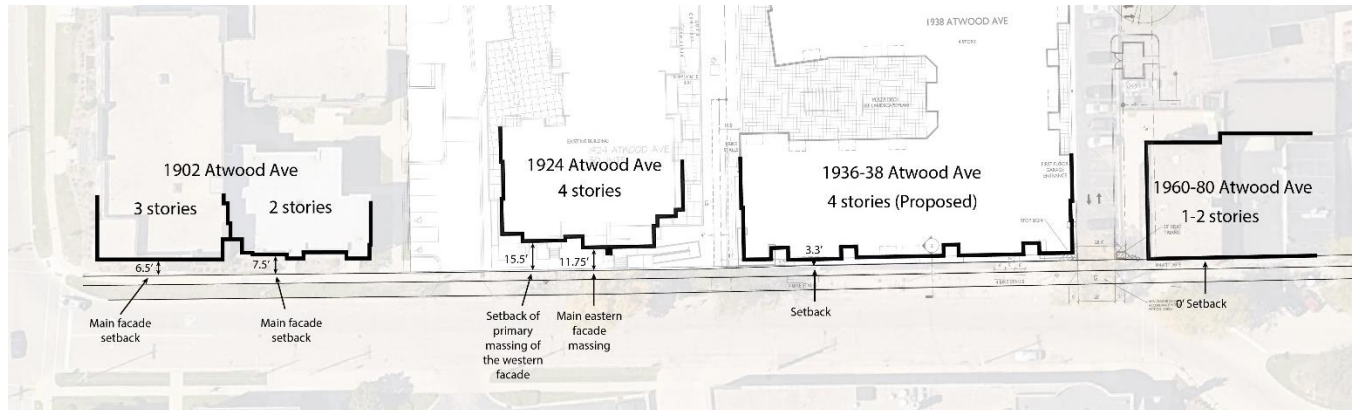
Figure 1 – Comparison of Nearby Developments

Parcel	Zoning	Use	Generalized Future Land Use	Cmcl	Floors	Units	Bedrms	Site Area (ac)	Density	Pkg Stalls/Unit
2158 Atwood Ave	TSS	Mixed-Use	Community Mixed-Use (CMU)	3,014	4	32	38	0.37	87.5	1.3
2087 Atwood Ave	TSS	Mixed-Use	Community Mixed-Use (CMU)	1,800-3,300	4	30	30	0.36	83.2	1.0
418 Division St	TSS	Residential	Neighborhood Mixed-Use (NMU)	--	3	31	35	0.40	77.5	0.9
1924 Atwood Ave	PD	Residential	Neighborhood Mixed-Use (NMU)	--	4	50	59	0.75	66.7	1.0
1936-38 Atwood Ave	TSS	Mixed-Use	Neighborhood Mixed-Use (NMU)	4,000	4	79	101	0.97	81.4	1.5**

From a building form standpoint, staff believes that a four-story building could be found consistent with adopted plan recommendations as described above. Staff do also note that careful consideration should be given to how this large building fits within the surrounding context as this relates to all of the above standards. Going back to pre-application discussions, Staff have encouraged the development team to break up the massing along Atwood Avenue and provide appropriate setbacks along Atwood Avenue. In response to initial staff and neighborhood feedback, the applicant has provided some important modifications to improve the project, better aligning it with the approval standards. This includes pulling the building back from the front property line, dividing the building into more distinct bays with better-defined building recesses, and adjusting the architectural detailing and materials as described above. The most current version is in the Plan Commission materials, with supporting documentation.

Please see the graphic below for an analysis of the building setbacks for this block of Atwood Avenue, noting that unlike the subject building which would fall under TSS (Traditional Shopping Street District) zoning, both of the buildings to the west of the subject building are zoned PD (Planned Development District). The proposed building has a street setback of over three feet compared to the smaller one and two-story structures to the east, which are built to the property line. The four-story residential structure to the west has the deepest setback in the block, while the mixed-use building at the corner, which has some ground floor commercial uses is set back three to four feet more than the proposed development.

Figure 2 – Proposed Development Compared to Surrounding Context



Finally, staff notes in regard to the standards, and especially those related to additional height, the applicant has provided supplemental materials for Plan Commission consideration. These include a sun (shadow) study (sheets A-3.9 & 3.10) and additional perspectives looking back east along Atwood Avenue (sheets A-3.7 & 3.8). (These materials have been included in the Plan Commissions packet of materials for review.) An examination of the provided information shows that the shadow impacts on neighboring buildings will be primarily negligible, given the buffer provided by the railroad tracks to the north of the subject site. The only notable shadow impact will be to the adjacent, 2-story building to the east (at 1962 Atwood Avenue) but will this will only occur during early winter afternoons.

On balance, the Planning Division believes it would be possible to find the conditional use standards are met. Please note, recent changes to state law requires that conditional use findings must be based on “substantial evidence” that directly pertains to each standard and not based on personal preference or speculation. Any condition applied to a project must be directly related to the conditional use.

Public Input

Staff note that the majority of the public feedback received to date pertain to the two previous design iterations, namely the one that did not include any structured parking stalls which would be available for use by the general public after business hours. However, based on feedback stemming from the neighborhood meeting held on November 19, 2018, the applicant subsequently submitted revised plans increasing the number of ground-floor stalls by 17, all of which would be available to the general public after hours.

Residents also expressed an opposition to the demolition of affordable units, were concerned about the building’s inability to adequately deal with stormwater on site, the building’s affect on streetscape, and the building’s interaction with the street life, and, restricting the width of the right-of-way of this stretch of Atwood Avenue in order to slow traffic speeds and add more greenery along the sidewalk. Comments are included in the packet and are also posted online as part of the Legislative Record (Legistar).

Conclusion

The Planning Division believes that, on balance, the proposal could be found to be consistent with the approval standards for Zoning Map Amendments, Demolition Permits, and Conditional Uses. This report advises that the Plan Commission give careful consideration to the approval standards, including Conditional Use Standards 4, 9, and 12, especially as it relates to the massing of the proposed building. Considering several factors discussed in this report, including general plan consistency, adjacency to existing four-story development, and the design improvements made to align the project with the relative approval standards, the Planning Division believes it is possible for the Plan Commission to find the applicable standards are met.

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 -- 00358 rezoning a portion of 1936-1938 Atwood Avenue parcel from the PD (Planned Development) District 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 uses to demolish a five-unit residential building before constructing a 79-unit mixed-use building with 4,000 square-feet of commercial space. 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. The applicant shall revise the proposed short-term bicycle stalls to conform with MGO Section 28.141(11).

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

3. The property at 110 S Second Street shares drainage with the proposed lot and is dependent upon the proposed lot for storm water runoff conveyance, and/or a private drainage. An agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the certified survey map and recorded at the Dane Co Register of Deeds. (POLICY)
4. The existing bio swale system requires a maintenance agreement with the City of Madison, which will need to be recorded at the Dane County Register of Deeds.
5. It appears that stormwater is being discharged onto the RR property without note of where the runoff will ultimately go. Additional information shall be provided - the applicant is not authorized to discharge with no controls onto adjacent private property.
6. 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. The permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
7. 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))

8. 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)
9. The City plans to replace the sewer main in Atwood Ave. as part of the Winnebago Street Reconstruction project. Applicant shall coordinate with City staff for the desired location and size of the proposed sanitary sewer lateral for the apartment development. City contact for sewer: Kyle Frank, kfrank@cityofmadison.com, (608)266-4098.
10. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR in order to comply with TMDL limits.
11. The site plans shall be revised to show the location of all rain gutter down spout discharges. (POLICY)
12. The plan set shall be revised to show more information on proposed drainage for the site. Specifically provide grading and elevations for the patio area as noted on C-7.0. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement. (POLICY)
13. The Applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). 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 namesAll other levels (contours, setbacks, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred lzenchenko@cityofmadison.com. Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file.

14. 12. 4.13 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 troester@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.

15. 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.
16. 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.
17. 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)
18. 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)
19. 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>.
20. 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)

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 Construct Sidewalk to a plan approved by the City

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

24. The Declaration of Easements, Covenants, Conditions and Restrictions per Doc No. 3065012 and amended by 4201503 shall be amended and/or released to accommodate the changes due to the development as proposed providing the new proposed shared access, any shared parking and the shared trash enclosure with 110 S. Second Street. Also there shall be an agreement for the shared drainage between this proposed CSM and the property at 110 S Second Street.
25. The common driveway along the southwesterly side is to be removed. The Joint Driveway Easement per Doc No. 681451 shall be released by recorded document prior to sign off.
 26. 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
 27. The Site Plan indicates Bike Racks encroaching into the Atwood Avenue right of way. The Applicant shall confirm and note on the plans all encroachments, including, (but not limited to) balconies, roof overhangs and underground vaults. Make an application specifically for bike racks with City of Madison Real Estate for a privilege in streets agreement. Link as follows - <http://www.cityofmadison.com/developmentcenter/landdevelopment/streetencroachment.cfm>. An approval of the development does not constitute or guarantee approval of any encroachments within a public right of way.
 28. If the Bio-swales in the rear of this property serve any other property, an agreement shall be recorded and referenced on the pending Certified Survey Map.
 29. The address of the proposed apartments is 1958 Atwood Ave. The commercial tenant addresses are TBD when build out plans are submitted. 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.

30. 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.

Traffic Engineering (Contact Sean Malloy, (608) 266-5987)

31. 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.
32. 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.
33. 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.
34. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
35. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
36. 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.
37. 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.
38. The applicant shall provide a clearly defined 5' walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.

39. Items in the Right-of-Way are not approvable through site plan approval, work with City Real Estate to start the 'Privilege in Streets' process to obtain an Encroachment Agreement for items in the Right-of-Way (bicycle racks, planters, etc.)
40. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
41. 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.
42. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
43. The applicant shall install, or provide an executed copy of a cross-access agreement, a physical barrier of substantial material and construction to prevent vehicular movements onto and off of adjacent sites.

Zoning Administrator (Contact Jacob Moskowitz, (608) 266-4560)

44. This development involves changes to the property to the west, which is a Planned Development. An alteration to this Planned Development must be approved and recorded.
45. The letter of intent states that the proposed project is 79 dwelling units, but some plan sheets show 85 dwelling units. Clarify the unit count, and submit plans for final sign off that are consistent throughout.
46. 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.

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

47. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Tracy Burrus at tburrus@cityofmadison.com or (608)266-5959.

Parks/Forestry Review (Contact Kate Kane, (608) 261-9671)

48. 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 East Park - Infrastructure Impact Fee district. Please reference ID# 19005 when contacting Parks about this project.
49. 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 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.

50. 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.
51. 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.

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

52. A private well may have served this parcel prior to the municipal water service connection. Any remaining unused/unpermitted private wells existing on this parcel must be properly abandoned according to Wisconsin Administrative Code NR 812 and Madison General Ordinance 13.21 prior to the demolition of the property. Please contact water utility staff at (608) 266-4654 to schedule an on-site private well survey prior to demolition, otherwise for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs.

53. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.
54. 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.
55. 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.

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

56. Metro Transit operates daily transit service at least once every thirty minutes along Winnebago Street, in the Atwood Avenue intersection. The bus stops are located on the north and south sides of Winnebago Street, west of Atwood Avenue, in each direction of travel on Winnebago Street.