

## PLANNING DIVISION STAFF REPORT

March 11, 2019

PREPARED FOR THE PLAN COMMISSION



**Project Address:** 1954 E Washington Avenue (District 12 – Ald. Palm)

**Application Type:** Rezoning, Demolition Permit, & Conditional Use

**Legistar File ID #:** [52598](#), [53618](#), & [53811](#)

**Prepared By:** Sydney Prusak, Planning Division  
Report includes comments from other City agencies, as noted.

**Reviewed By:** Kevin Firchow, AICP, Principal Planner

### Summary

**Applicant & Property Owner:** Lorrie K Heinemann; Madison Development Corporation; 550 W Washington Avenue; Madison, WI 53703

**Contact:** Kevin Burow; Knothe & Bruce Architects, LLC; 7601 University Avenue, Suite 201; Middleton, WI 53562

**Requested Action:** Approval of a demolition permit, the rezoning of the property from Traditional Residential – Varied 2 (TR-V2) to Traditional Residential – Urban 1 (TR-U1), and the following conditional uses: 1) A residential building complex; 2) A multi-family dwelling containing more than eight dwelling units; 3) An accessory management office in the TR-U1 Zoning District.

**Proposal Summary:** The applicant proposes to demolish a two-story, eight-unit apartment building and construct a four-story, 63,546-gross-square-foot apartment building with 44 residential units and underground parking. The development will be part of an existing residential building complex that currently has three residential buildings (one of which is proposed for demolition) and a two-story office building, for a total of 76 dwelling units. As part of this redevelopment, the applicant proposes to reconfigure the surface parking lots. Project construction is anticipated to begin in the spring of 2019, with projected completion in 2020.

**Applicable Regulations & Standards:** This proposal is subject to the standards for Zoning Map Amendments [MGO §28.182(6)], Demolition Permits [MGO §28.185], and Conditional Uses [MGO §28.183(6)].

**Review Required By:** Urban Design Commission (UDC), Plan Commission (PC), and Common Council (CC)

**Summary Recommendations:** The Planning Division recommends that the Plan Commission find that the approval standards for zoning map amendments are met, and forward the rezoning request 28.022 -- 00353 to the Common Council with a recommendation to **approve**. Furthermore, the Planning Division recommends that the Plan Commission find that the approval standards for demolition and conditional uses are met, and **approve** the demolition and conditional use requests. These recommendations are subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

## Background Information

**Parcel Location:** The 111,540-square-foot (2.56-acre) subject site is located on the northeast side of East Washington Avenue at the intersection with North Second Street. It is located in Aldermanic District 12 (Ald. Palm) and the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The subject site is considered one Zoning Lot, however there are many underlying lot lines on the property. These lots will be dissolved and combined into one parcel, through a Certified Survey Map (CSM), pending land use approvals. The subject site is currently zoned Traditional Residential – Varied 2 (TR-V2) and has four existing buildings:

1. A two-story office building near the corner of North Second Street and East Mifflin Street, which will remain (22 North Second Street).
2. A one-story, four-unit apartment building near the center of the site that will remain as part of the residential building complex (1953 East Mifflin Street).
3. A three-story, 28-unit apartment building (former East Washington Isolation Hospital) near East Washington Avenue that will remain as part of the residential building complex (1954 East Washington Avenue).
4. A two-story eight-unit apartment building on the western portion of the site that is proposed for demolition (1948 and 1950 East Washington Avenue).

### Surrounding Land Uses and Zoning:

Northeast: Single-family residences, zoned Traditional Residential - Consistent 4 (TR-C4) and Traditional Residential - Varied 1 (TR-V1);

Southeast: Single-family, two-unit, and three-unit residences, zoned TR-V1

Northwest: Single-family residences, zoned TR-C4; and

Southwest: Single-family and three-unit residences, zoned TR-C4 and TR-V1.

**Adopted Land Use Plan:** The [Comprehensive Plan \(2018\)](#) recommends Low-Medium Residential (LMR), which is classified as one to three floors and between seven and 30 dwelling units per acre (du/ac). The Plan has a note under this classification that large multifamily buildings are recommended in select conditions at up to 70 du/ac and four stories, generally along arterial streets. The [Emerson East - Eken Park - Yahara Neighborhood Plan \(2016\)](#) includes the [Generalized Future Land Use Map](#) from the 2006 Comprehensive Plan as an Appendix, but makes no plan specific land use recommendations for the subject site.

**Zoning Summary:** The subject property currently zoned Traditional Residential – Varied 2 (TR-V2), but as proposed the site will be rezoned to Traditional Residential – Urban 2 (TR-U1).

Requirements	Required	Proposed
Lot Area (sq. ft.)	1,000 sq. ft./d.u. +300 sq. ft. per bedroom >2 (78,100 sq. ft.)	111,540 sq. ft.
Lot Width	50'	338'
Front Yard Setback	15' or average	25.5'
Max. Front Yard Setback	30' or up to 20% greater than block average	25.5'
Side Yard Setback	10'	15'
Reverse Corner Side Yard Setback	12'	N/A
Rear Yard Setback	Lesser of 25% lot depth or 25'	Adequate
Usable Open Space	320 sq. ft. per d.u. (24,320 sq. ft.)	Adequate (45)
Maximum Lot Coverage	75%	56%
Maximum Building Height	5 stories/65'	4 stories

**Section 28.151: Residential Building Complex (b)** Setback requirements may be reduced as part of the conditional use approval, provided that equivalent open space areas are provided.

Site Design	Required	Proposed
Number Parking Stalls	<b>Multi-family dwelling:</b> 1 per dwelling (40 existing units + 36 proposed units = 76 total)	56 surface 36 underground (92 total)
Accessible Stalls	Yes	Yes
Loading	Not required	None
Number Bike Parking Stalls	<b>Multi-family dwelling:</b> 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (46) 1 guest space per 10 units (4) (50 total)	8 surface 44 underground (52 total)
Landscaping and Screening	Yes	Yes (46)(47)
Lighting	Yes	Yes
Building Forms	Yes	Large multi-family building

<b>Other Critical Zoning Items</b>	Urban Design (Residential Building Complex), Utility Easements, Barrier Free (ILHR 69)
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*Tables 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, including daily Metro Transit service along E Washington Avenue at stops in the Second Street intersection. Trips operate at least once every 30 minutes on weekdays, and once an hour in each direction on weekends.

## Project History

A land use application for an earlier version of this project was submitted to the City in October 2018. Under that proposal, the applicant proposed one four-story, 30-unit apartment building along East Washington Avenue, with the two-story, eight unit apartment building to remain. Additionally, the applicant requested demolition approval to raze the two-story existing office building off of Second Street and East Mifflin Street to construct six two-story townhome units, with individual garages, along East Mifflin Street. At their December 5, 2018 meeting, the Urban Design Commission (UDC) voted to refer this proposal to a later meeting based off of neighborhood feedback and other design-related considerations. Notes from that meeting are available here:

<https://madison.legistar.com/View.ashx?M=F&ID=6944834&GUID=D15FA62F-0D49-40B1-ADB2-B690BED6BD93>.

Since that meeting, the applicant has made several modifications to the proposed plans in an attempt to address feedback. Staff understands that throughout the entire project history, there have been nine neighborhood meetings with the development team and neighborhood.

## **Project Description**

The applicant proposes to expand the residential building complex on the 111,540 square-foot (2.56-acre) subject property. As proposed, the applicant will demolish an existing two-story eight-unit apartment building and construct a four-story apartment building with 44 residential units and 36 underground parking stalls on the southwest portion of the site fronting East Washington Avenue. This project will have an affordable housing component, with 37 units set aside for residents earning 50, 60, or 80 percent or less of the Dane County Median Income. The remaining seven units will be market rate. The City of Madison Community Development Division has committed federal HOME funds to support this project, pending land use approvals. The proposed building will contain an accessory management office for Madison Development Corporation (the property owner/applicant). Graaskamp Park, a private greenspace, and the two-story office building in the rear of the site will remain under this request.

Proposed dwelling units range in size from 483 square-feet to 1,283 square-feet, and include two efficiency units, 15 one-bedroom, 21 two-bedroom, and five three-bedroom units. Plans show that 36 of the apartment units will have individual unit balconies, and eight of the units will have individual ground floor entries. The proposed building will have an exercise room for tenants, as well as shared laundry on each floor. As previously stated, there will be an accessory management office for Madison Development Corporation on the first floor of the proposed building, which is a conditional use in the Traditional Residential – Urban 1 (TR-U1) Zoning District. According to the applicant, the leasing office will be staffed with two to three people, two to three times per week, and for periods up to four hours. The meeting room on the fourth floor will be used between two and four times per month by Madison Development Corporation and their Board, and will also be made available to residents for special events.

The building placement and palette of colors and materials have changed significantly over the course of the past nine months. The current iteration proposed includes a 63,546-gross-square-foot building that will be 93 feet long and 182 feet deep. The building will have a three story street elevation and then the southwest and southeast elevations will be stepped back 10 feet on the fourth floor. The building will be primarily clad in cream city brick veneer to match the existing apartment building on site.

The proposed building will replace an existing 12-stall surface parking lot. As proposed, resident parking is located underground. The existing parking lot in front of the existing Avenue Apartments will be redesigned to have 27 surface stalls, with an additional 8 stall lot immediately east of the proposed building. The existing 21-stall surface parking lot in the rear of the site along East Mifflin Street will remain. It is important to note that the parking lots will be shared with the existing office and apartment buildings within the complex, which include a three-story 28-unit building and a one-story four-unit building. On-street parking along portions of East Washington Avenue is currently allowable in this location as well. Automobile access to the surface lot abutting East Washington Avenue is provided from both North Second Street and East Washington Avenue. A ramp to the below ground parking is located directly off the East Washington Avenue driveway, which wraps around the side of the building. In regards to bicycle parking for the first phase of development, 44 underground long-term residential stalls are

provided, as well as eight bike stalls directly in front of the proposed building. No loading zone is provided, nor is it required by Zoning.

In order for this development to occur, the applicant proposes to rezone the property from Traditional Residential – Varied 2 (TR-V2) to Traditional Residential – Urban 1 (TR-U1). The adopted plans call for residential uses on the subject site. As proposed, the residential density for the entire 2.56-acre residential building complex, including the existing buildings, is approximately 30 du/ac. Discussion about the proposed density and conformance with adopted plans is discussed in the following section.

## Project Analysis

The proposed project is subject to the standards for Zoning Map Amendments [MGO §28.182(6)], Demolition Permits [MGO §28.185(7)] and Conditional Uses [MGO §28.182(6)].

### Conformance with Adopted Plans

The [2018 Comprehensive Plan](#) recommends Low-Medium Residential (LMR), which is classified as one to three floors and between seven and 30 dwelling units per acre (du/ac). The Plan has a note under this classification that large multifamily buildings are recommended in select conditions at up to 70 du/ac and four stories, generally along arterial streets. As stated earlier, while the [Emerson East - Eken Park - Yahara Neighborhood Plan \(2016\)](#) includes the [2006 Generalized Future Land Use Map](#) as an Appendix, it makes no specific land use recommendations for the subject site.

The Planning Division believes that this proposal generally conforms to these recommendations. Currently, the site has 40 dwelling units, with the overall density at approximately 16 du/ac. As proposed, the new apartment building will add 36 new units on the site, increasing the density up to 30 du/ac. While, LMR calls for building heights up to three stories, the Plan states that four-story buildings could be consistent at a density up to 70 du/ac along arterial streets. East Washington Avenue is classified as a Primary Arterial Street.

According to the [Comprehensive Plan \(2018\)](#), building forms within the LMR category of housing are generally compatible in scale with single-family homes and may be intermixed with small-lot single family development or used as a transition from more intense development to lower intensity areas comprised primarily of single-family development. LMR areas should be characterized by a walkable, connected street network. LMR areas should help meet the growing demand for walkable urban living. The Planning Division believes that this proposal conforms to the LMR recommendations. East Washington Avenue is an urban thoroughfare, and the proposed building is oriented toward the busy street and stepbacks to the abutting private green space and residences. Furthermore, in regards to the building's compatibility with residential properties, the proposal meets all the necessary Zoning requirements in terms of massing, setbacks, and stepbacks for the TR-U1 District.

### Standards for Zoning Map Amendments

This proposal is subject to the standards for Zoning Map Amendments, as the subject property is proposed to be rezoned from Traditional Residential – Varied 2 (TR-V2) to Traditional Residential – Urban 1 (TR-U1). MGO §28.182(6) states that, “Map 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. “Consistent with” has been defined in State Statutes as “furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan.” Given that the [Comprehensive Plan \(2018\)](#) recommends Low Medium Density Residential (LMR) of up to 30 du/ac between one and three stories,

and up to 70 du/ac and four stories on arterial streets, staff believes that the proposed rezoning from TR-V2 to TR-U1 is generally consistent with the plan recommendations. The existing zoning allows for approximately 56 du/ac for the site, and this rezoning will make the development more consistent with the adopted plan recommendations. Staff believes that the standards for Zoning Map Amendments can be found met.

### **Demolition Approval Standards**

In order to approve a demolition request, the Plan Commission must find that both the requested demolition and the proposed future use are compatible with the purpose of the demolition section of the Zoning Code and the intent and purpose expressed in the Traditional Residential – Urban 1 (TR-U1) Zoning District. A copy of the statement of purpose is provided as Attachment #1. The purpose of the demolition section is to aid in the implementation of adopted City plans, protect neighborhood character, preserve historic buildings, encourage the reuse and/or relocation of existing buildings, discourage buildings falling into a state of severe disrepair from lack of maintenance by the owner, encourage compliance with building and minimum housing codes, and allow the property owner to have a decision on approval or disapproval of the proposed use of the property before he or she takes the irrevocable step of demolishing or moving the buildings.

The demolition standards state that the Plan Commission shall consider and may give decisive weight to any relevant facts including impacts on the normal and orderly development of surrounding properties and the reasonableness of efforts to relocate the building. The demolition standards also state that the proposed uses should be compatible with adopted plans, which is discussed above.

Finally, the demolition standards state that the Plan Commission shall consider the report of the City's Historic Preservation Planner regarding the historic value of the property as well as any report submitted by the Landmarks Commission. At their January 14, 2019 meeting, the Landmarks Commission found that the building at 1948 East Washington Avenue has no known historic value.

The Planning Division believes that the Demolition Approval Standards can be found met.

### **Conditional Use Standards**

The applicant is requesting approval of three conditional uses. According to Table 28C-1, a residential building complex, a multi-family dwelling containing more than eight (8) units, and an accessory management office are all conditional uses in the Traditional Residential – Urban 1 (TR-U1) Zoning District. In regards to the 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 MGO §28.183(6) 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. The Planning Division believes that this proposal conforms to the adopted plan recommendations for the subject site. Staff believes that the standards can be found met and provides further discussion on Standards 5 and 9.

Conditional Use Standard #5 states, "Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit, and other necessary site improvements have been or are being provided." The Planning Division believes that this standard can be found met. As proposed, there will be 76 dwelling units on the site and 92 surface parking stalls, which exceeds the required 1:1 parking requirement for the TR-U1 Zoning District. It is important to note that the parking lot along East Mifflin Street is shared with Options for Community Living (the office tenant on site). Currently, and to be

continued, Options employees are permitted to park in that lot from 8:00 am to 5:00 pm and is then open to Avenue residents from 5:00 pm to 8:00 am. The applicant has indicated to staff that several of the current residents do not have a car and state that there has not been any parking issues at night. Furthermore, in regards to Standard 5, if dogs, are allowed on site, a station for the collection of dog waste shall be included in the project to discourage dog waste from collecting on nearby streets. Given these considerations, the Planning Division believes that this standard can be found met.

Conditional Use 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. In order to find that this standard is met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission (UDC) for comment and recommendations.” This proposal went before the UDC on December 5, 2018 and February 27, 2019 for an advisory recommendation to the Plan Commission.

Given that this development is considered a residential building complex, a recommendation from the Urban Design Commission (UDC) is required. At their February 27, 2019 meeting, meeting in regular session, the UDC voted unanimously to recommend that the Plan Commission approve this request with the following conditions:

- That the fourth floor elevation has a darker color than what was originally proposed; and
- That the tree root ball for trees near the western property line be protected as much as possible;
- That the applicant provide additional rooftop unit screening for sound; and
- That the applicant provide landscape screening to the neighboring properties. The UDC suggested arbor vitae trees because they can create a living green wall.

In making their motion, the UDC commented that the applicant responded to comments by both the UDC and neighbors, and that this proposal furthers the land use goals in the [Comprehensive Plan \(2018\)](#). Given that the UDC recommended approval, the Planning Division believes that this standard can be found met.

### **Public Input**

At the time of report writing, the Planning Division did not receive comments specifically for Plan Commission review but received several comments, in both support and opposition, prior to the February 27<sup>th</sup> UDC meeting. Correspondence regarding the proposal has been provided in the Plan Commission materials. Staff notes that the applicant has participated in multiple neighborhood meetings and made modifications to the plans. The attached comments note opposition and concerns such as building height, placement, and overall mass. Additional concerns include traffic impacts, increased density, loss of canopy trees, and the long term feasibility of the project. Please see those comments for further information.

## **Conclusion**

The applicant proposes to demolish a two-story, eight-unit apartment building and construct a four-story, 63,546-gross-square-foot apartment building with 44 residential units and underground parking. The development will be an addition to an existing residential building complex that currently has two residential buildings for a total of 76 units. To facilitate this redevelopment, the applicant requests approval of a demolition permit, three conditional use requests, and a zoning map amendment to rezone the subject site from Traditional Residential – Varied 2 (TR-V2) to Traditional Residential – Urban 1 (Traditional Residential – Urban 1).

The Planning Division believes that this proposal can be found to meet the approval standards for zoning map amendments, demolition and removal permits, and conditional uses. As proposed, the added residential density will be in keeping with the [Comprehensive Plan \(2018\)](#) land use recommendations for the subject site. Staff acknowledges the neighborhood opposition, and if the Plan Commission cannot find the approval standards to be found met, the Plan Commission shall specify its findings of fact and list the standard(s) that have not been met and the reasons such standard(s) was not met.

## Recommendation

### **Planning Division Recommendation** (Contact Sydney Prusak, (608) 243-0554)

The Planning Division recommends that the Plan Commission find that the approval standards for zoning map amendments are met, and forward the rezoning request 28.022 -- 00353 to the Common Council with a recommendation to **approve**. Secondly, the Planning Division recommends that the Plan Commission find that the standards for demolition and conditional uses are met, and **approve** the demolition and conditional use requests. These recommendations are subject to input at the public hearing and the conditions from reviewing agencies in this report.

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

### **Planning Division** (Contact Sydney Prusak, (608) 243-0554)

1. The pending Certified Survey Map (CSM) 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.
2. If dogs are allowed on site, a station for the collection of dog waste shall be included in the project to discourage dog waste from collecting on nearby streets.
3. The fourth floor elevation shall be a darker color.
4. That the root balls for the trees near the western property line be protected.
5. That the applicant provide additional rooftop unit screening for sound.
6. Work with Planning, Zoning, and Urban Design staff to provide an appropriate transition screening area between the proposed building and the adjacent property at 1944 East Washington Avenue.

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

7. This site appears to be a mix of new (grass) and redevelopment - depending on the final plan this may result in the stormwater management requirements having both a component of redevelopment (TSS control) as well as new development (Detention and infiltration) requirements.
8. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. The permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))

9. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO16.23(9)(d)(4))
10. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)
11. 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.
12. The Applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number: a) Building Footprints b) Internal Walkway Areas c) Internal Site Parking Areas d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.) e) Right-of-Way lines (public and private) f) Lot lines or parcel lines if unplatted g) Lot numbers or the words unplatted h) Lot/Plat dimensions i) Street names j) Private on-site sanitary sewer utilities (including all connections to public sanitary) k) Private on-site storm sewer utilities (including all connections to public storm) All other levels (contours, elevations, etc) are not to be included with this file submittal. NOTE: Email CAD file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.
13. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)) PDF submittals shall contain the following information: 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) Stormwater Management Facilities k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
14. The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including: a) SLAMM DAT files b) RECARGA files c) TR-55/HYDROCAD/Etc d) Sediment loading calculations. If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided. (POLICY and MGO 37.09(2))
15. Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer. (POLICY AND MGO OVER 10,000 SF OF IMPERVIOUS AREA 10.29 and 37.05(7)(b))

16. Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project. Include copies of all stormwater, utility, and detail plan sheets that contain stormwater practices on 8.5x14 size paper in the draft document. These drawings do not need to be to scale as they are for informational purposes only. Once City Engineering staff have reviewed the draft document and approved it with any required revisions submit a signed and notarized original copy to City Engineering. Include a check for \$30.00 made out to Dane County Register of Deeds for the recording fee. City Engineering will forward the document and fee for recording at the time of issuance of the stormwater management permit. Draft document can be emailed to Tim Troester (west) at [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com), or Daniel Olivares at [DAOlivares@cityofmadison.com](mailto:DAOlivares@cityofmadison.com) final document and fee should be submitted to City.
17. A large portion of pavement appears to drain to the underground parking garage. 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.
18. The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity. (POLICY)
19. 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.
20. 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)
21. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to Reduce TSS by 80% off of the proposed development when compared with the existing site.
22. 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.
23. The Applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The Applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit. (MGO 10.05(6)) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

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

25. The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. (MGO 16.23(9)(d)(6)) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

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

26. The proposed new building will cross an underlying platted lot line. Current fire code and City enforcement requires the underlying platted lot line be dissolved by Certified Survey Map (CSM) prior to issuance of a building permit. A CSM and required supporting information shall be prepared and submitted to the City of Madison Planning Department. The CSM shall be approved by the City and recorded with the Dane County Register of Deeds prior to issuance of a building permit.

27. The address of the proposed 44 unit building is 1946 E Washington Ave. 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.

28. Submit a Floor Plan in PDF format to Lori Zenchenko ([lzenchenko@cityofmadison.com](mailto: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)

29. 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.

30. 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.

31. 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.

32. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
33. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
34. 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.
35. 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.
36. 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.
37. The driveway slope to the underground parking is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.
38. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
39. Secure parking facility. This is usually done with continuous six (6) inch curb, timbers, preformed wheel stops, guardrail erected at a height of eighteen (18) inches or fencing of sufficient strength to act as a vehicle bumper.
40. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.
41. The applicant shall work with Traffic Engineering to provide a more direct paved route from the North parking lot to the adjacent park.

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

42. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (608-266-4682).
43. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185 (7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
44. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan

Commission.

45. Update the useable open space plan page C1.5 to correctly show the qualifying useable open space areas. Usable open space located at ground level outside of a required front or corner side yard shall be in a compact area of not less than two hundred (200) square feet, with no dimension less than eight (8) feet and no slope grade greater than ten percent (10%). Usable open space shall not include areas occupied by buildings, driveways, drive aisles, off-street parking, paving and sidewalks, except that paved paths no wider than five (5) feet, and pervious pavement designed for outdoor recreation only may be included as usable open space. 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.
46. 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.
47. A landscape island is required within the south row of parking abutting East Washington Avenue. For parking lots containing twenty (20) or more parking spaces, a planting island shall be located at least every twelve (12) contiguous stalls with no break.

Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

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

48. The proposed fire aerial access from E Washington Avenue conflicts with the proposed landscaping plans. The project would be required to provide code required access from their property or increase the level of fire safety measures within the building construction.

49. 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 Review** (Contact Kathleen Kane, (608) 261-9671)

50. Pursuant to the authority established under Wis. Stat. § 66.0617(7), and in the interests of promoting the development of low-cost housing in the City, low-cost housing is exempt from the park impact fees beginning January 1, 2017. This exemption only applies to those dwelling units or bedrooms within a development that are determined to be low-cost housing. This exemption does not extend to the land dedication requirements set forth under Sec. 16.23(8)(f), MGO, nor any other impact fees that may apply to a development.
51. The park impact fee will be exempt for developments that meet the “low-cost housing” requirements, as defined as rental or owner-occupied housing units that are affordable, as that term is defined in Sec. 4.22(2), MGO, and which meet the deed restriction requirements of Sec. 4.22(7). The determination whether a proposed development will create low-cost housing, and how much low-cost housing it will create, shall be made by the Community Development Division.
52. 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 that is not exempted. This development is within the North Park -Infrastructure Impact Fee district. Please reference ID# 18166 when contacting Parks about this project.

**Forestry Review** (Contact Brad Hofmann, (608) 266-4816)

53. 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.
54. 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 - <https://www.cityofmadison.com/business/pw/documents/StdSpecs/2018/CompleteSpecBook.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.
55. 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)

56. 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.
57. 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.

58. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21.  
All unused private wells shall be abandoned in accordance with MGO 13.21.

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

59. 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.
60. 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.
61. In coordination with any public works improvements, the applicant shall maintain or replace the concrete terrace at the existing Metro bus stop on the north side of East Washington Avenue, west of North Second Street (#1382).
62. 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.
63. Metro Transit provides daily bus service along East Washington Avenue through the Second Street intersection. Bus stop ID #1382 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.