



**Project Address:** 4602 Cottage Grove Road  
**Application Type:** Demolition Permit and Conditional Use  
**Legistar File ID #** [53612](#)  
**Prepared By:** Timothy M. Parks, Planning Division  
 Report includes comments from other City agencies, as noted

**Summary**

**Applicant:** Megan Schuetz, Movin’ Out, Inc.; 902 Royster Oaks Drive; Madison.

**Contact Person:** Ray White, Dimension IV-Madison Design Group; 6515 Grand Teton Plaza, Suite 120; Madison.

**Property Owner:** CG Groceries, LLC; 4602 Cottage Grove Road; Madison.

**Requested Actions:** Consideration of a demolition permit and conditional uses to allow a grocery store at 4602 Cottage Grove Road to be demolished and a four-story mixed-use building with 10,000 square feet of commercial space and 65 apartment units and a detached, five-unit townhouse building to be constructed.

**Proposal Summary:** The applicant wishes to demolish the former Sentry grocery store located at 4602 Cottage Grove Road to allow construction of “The Ace,” which will include a four-story, L-shaped mixed-use building containing 10,000 square feet of first floor commercial space along the Cottage Grove Road and 65 dwelling units. A detached, two-story, five-unit townhouse building is proposed north of the L-shaped building. The two buildings will create a landscaped courtyard for residents of the project. The subject site will share cross access with the adjacent Rolling Meadows Shopping Center. The project is scheduled to commence construction in spring 2020, with completion anticipated in spring 2021.

**Applicable Regulations & Standards:** Table D-2 in Section 28.061 identifies single-family attached dwellings with between three and eight units as a conditional use in the CC-T district. Section 28.067(4)(a) states that any mixed-use or multi-tenant building over 40,000 square feet of gross floor area in the CC-T (Commercial Corridor–Transitional) district requires approval of a conditional use. Section 28.151 states that any mixed-use building with more than 24 dwelling units in the CC-T district requires conditional use approval, and requires that a mixed-use building in the CC-T district with less than 75% non-residential ground floor area be approved as a conditional use. Section 28.151 also requires that a building in CC-T with a street-facing width greater than 40 feet, at least 75% of the ground-floor frontage facing the primary street, including all frontage at a street corner, shall be non-residential; less non-residential frontage requires conditional use approval. Section 28.067(3)(a)3 allows that the maximum setback in CC-T may be extended to 100 feet if approved as a conditional use. The Zoning Code defines a planned multi-use site as “a specified area of land comprised of one or more contiguous ownership parcels or building sites that share access and circulation or off-street parking” subject to the requirements enumerated in Section 28.137(2), including that any planned multi-use site containing more than 40,000 square feet of floor area and where 25,000 square feet of floor area is designed or intended for retail use or for hotel or motel use, shall require conditional use approval following a recommendation on the design of any specific proposal by the Urban Design Commission. Section 28.183 provides the process and standards for the approval of conditional use permits. Section 28.185 provides the process and standards for the approval of demolition and removal permits.

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

**Summary Recommendation:** The Planning Division recommends that the Plan Commission **approve** a demolition permit and conditional uses to allow the demolition of a grocery store and construction of a four-story mixed-use building with 10,000 square feet of commercial space and 65 apartments, and a separate two-story, five-unit townhouse building at 4602 Cottage Grove Road subject to the conditions recommended by the Urban Design Commission, input at the public hearing, and the conditions from reviewing agencies beginning on page 9 of this report.

## Background Information

**Parcel Location:** A 1.9-acre parcel located at the northeastern corner of Cottage Grove Road and Acewood Boulevard; Aldermanic District 3 (Lemmer); Madison Metropolitan School District.

**Existing Conditions and Land Use:** The subject site is developed with a one-story, 21,500 square-foot grocery store and surface parking, zoned CC-T (Commercial Corridor–Transitional District). The parcel is part of a planned multi-use site that shares access and circulation with the adjacent Rolling Meadows Shopping Center, Madison Antiques Mall, a drive-up Pizza Hut, standalone restaurant, and a two-story real estate office. The planned multi-use site contains approximately 72,000 square feet of commercial space not including the grocery store proposed for demolition.

### **Surrounding Land Uses and Zoning:**

**North:** Single- and two-family residences along Martha Lane, zoned SR-C1 (Suburban Residential–Consistent 1 District) and SR-C3 (Suburban Residential–Consistent 3 District); Williamstown Bay East apartments, zoned CC-T (Commercial Corridor–Transitional District);

**South:** Citgo gas station and convenience store; The Villages Apartments, zoned CC-T;

**West:** Walgreens, zoned CC-T;

**East:** Rolling Meadows Shopping Center (MSCR East (Madison Schools & Community Recreation, Good Food Café, etc.), Dairy Queen, et al.), Madison Antiques Mall, Pizza Hut, China Inn, and First Weber real estate office, all zoned CC-T.

**Adopted Land Use Plans:** The 2018 [Comprehensive Plan](#) recommends the subject site, greater Rolling Meadow Shopping Center and commercial properties located on the four corners of the Cottage Grove Road- Acewood Boulevard intersection for Neighborhood Mixed-Use development.

The [Cottage Grove Road Activity Centers Plan](#) includes the subject site as part of the “Acewood Activity Center,” which recommends the siting of new two- to four-story mixed-use and multi-family buildings at the Acewood Boulevard intersection, including an illustration of a four-story mixed-use building at the northeastern corner of the intersection where the existing grocery store exists. Based on a market study in the plan, future development at the Acewood center is likely to predominantly feature housing with some limited mixed-use retail. Space for some limited entrepreneurial or co-working opportunities were also recommended for the Acewood center. Incorporating affordable, quality housing in new developments is a specific recommendation of the plan.

**Zoning Summary:** The site is zoned CC-T (Commercial Corridor–Transitional District):

Requirements	Required	Proposed
Maximum Front Yard	100' (from Acewood Blvd.)	14.0' for mixed-use building 97.0' for townhouse building
Side Yards	None (from Cottage Grove Rd.)	8.0'
Rear Yard	20'	62'
Maximum Lot Coverage	85%	75%
Useable Open Space	160 sq. ft. for one-bedroom units, 320 sq. ft. for larger than one- bedrooms units (18,880 sq. ft. total)	23,258 sq. ft. (See conditions)
Minimum Building Height	5 stories/ 68 feet	4 stories/53 feet & 2 stories/23 feet
Auto Parking	<b>No minimum per CC-T district</b>	90 total, including 60 indoor, 30 outdoor (See Zoning conditions)
Accessible Stalls	2	5
Bike Parking	<b>Single-Family Attached Dwelling:</b> 1 per unit (5); <b>Multi-family dwelling:</b> 1 per unit up to 2-bedrooms, 0.5 space per add'l bedroom (70); 1 guest space per 10 units (7); <b>Office:</b> 1 per 2,000 sq. ft. floor area (5)	93
Loading	0	0
Building Forms	Flex Building Single-Family Attached Building	Complies with requirements
<b>Other Critical Zoning Items</b>		
Yes:	Urban Design (Planned Multi-Use Site), Utility Easements	
No:	Barrier Free, Floodplain, Wellhead Protection, Landmarks, Waterfront Development, Adjacent to Park	
<i>Prepared by: Jacob Moskowitz, Assistant Zoning Administrator</i>		

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

**Public Utilities and Services:** The site is served by a full range of urban services, including seven-day Metro Transit service along Acewood Boulevard through the Cottage Grove Road intersection. Bus stop ID #7925 is adjacent the proposed project site along the east side of Acewood Boulevard, with the bus stop zone encompassing the area from the existing bus stop sign pole south through the Cottage Grove Road intersection.

**Previous Request**

On April 18, 2016, the Plan Commission found that the standards for approval were not met and placed on file without prejudice a demolition permit and conditional uses to allow a grocery store to be demolished and an auto service station and convenience store (Kwik Trip) with outdoor display and outdoor storage to be constructed at 4602 Cottage Grove Road.

## Project Description

The applicant is requesting approval to demolish the former Sentry grocery store located at 4602 Cottage Grove Road to allow construction of “The Ace,” which will include a four-story, L-shaped mixed-use building with 10,000 square feet of first floor commercial space along the Cottage Grove Road and 65 dwelling units. A detached, two-story, five-unit townhouse building is proposed north of the L-shaped building and parallel to the northern property line, which with the mixed-use building, will create a landscaped courtyard for residents of the project.

The applicant has been awarded Section 42 affordable housing tax credits for the project from the Wisconsin Housing and Economic Development Authority (WHEDA). The project has also received funding from the City’s Affordable Housing Fund.

The subject site is a 1.9-acre parcel with approximately 300 feet of frontage along Cottage Grove Road and 275 feet of frontage along Acewood Boulevard, with the approximately 21,500 square-foot grocery store located in the northeast corner of the property. The one-story building was constructed in 1971 and includes approximately 80 parking stalls located between the building and both streets. Photos of the interior and exterior of the vacant store are included in the Plan Commission materials for this project.

The site is part of an approximately 8.65-acre planned multi-use site that extends along Cottage Grove Road from Acewood Boulevard to Flora Lane and includes the Rolling Meadows Shopping Center, Madison Antiques Mall, a drive-up Pizza Hut, standalone China Inn restaurant, and two-story office building. The adjacent parcels in the center include approximately 72,000 square feet of commercial space excluding the grocery store to be demolished according to City records. The planned multi-use site has approximately 950 feet of frontage along Cottage Grove Road and a depth that varies from 275 feet along Acewood on the western edge to approximately 450 feet of depth along Flora Lane on the east.

The intersection of Acewood Boulevard and Cottage Grove Road is characterized by a series of mostly one-story commercial buildings constructed between the mid-1960s and mid-1990s, with most of the buildings of a similar vintage as the grocery store proposed for demolition. Uses present on the neighboring commercial properties include a multi-tenant building on the southwestern corner of the intersection, a gas station and convenience store on the southeast, and Walgreens on the northwest. The subject site, adjacent planned multi-use site, and neighboring commercial properties on opposite corners are all zoned Commercial Corridor–Transitional (CC-T) zoning. A senior-oriented apartment building north of the subject site and The Villages apartment complex across Cottage Grove Road east of the Citgo gas station are also zoned CC-T.

Plans for the proposed four-story mixed-use building call for the 10,000 square feet of first floor commercial space to extend along most of the Cottage Grove Road frontage of the L-shaped building. An entrance to the first floor commercial space from Cottage Grove Road is shown at the southeastern corner of the building, with a second entrance shown on the site plans located further west along the Cottage Grove frontage. The developer indicates that the entire first floor space will initially be leased to a single office tenant. A residential lobby with management office and community room are proposed for the remainder of the Cottage Grove frontage. The remainder of the first floor will include a one-bedroom apartment and four two-story townhouses extending along the Acewood Boulevard frontage. A playroom, guest suite, fitness room, and two additional two-story townhouse units will front onto the western edge of the courtyard that will be formed by the L-shaped building and detached townhouse five-unit townhouse building proposed to the north. Floors 2-4 of the mixed-use building will consist of the remaining 58 dwelling units proposed. In total, the 65 apartments will consist of 22 one-bedroom units, 34

two-bedroom units, and nine three-bedroom units, including the six two-story townhouse units and one three-bedroom apartment proposed on floors 2, 3 and 4. The detached two-story townhouse building proposed along the northern edge of the courtyard will include three (3) three-bedroom units and two (2) four-bedroom units.

Parking for the proposed development will consist of 55 automobile parking stalls located below the footprint of the L-shaped mixed-use building and 25 surface stalls located along a new private drive that will ring the northern and eastern edges of the site from driveways from Cottage Grove Road and Acewood Boulevard. Each of the units in the townhouse building will include one parking stall in a private garage, with an additional stall shown in each unit's driveway between the garage doors and sidewalk proposed along the south side of the east-west private drive. Bike parking for the project will include 41 covered stalls on the first floor adjacent to the ramp leading to the underground parking, 28 bike stalls in the basement, and 14 surface stalls scattered around the perimeter of the site.

An 8-foot setback is proposed for the L-shaped building from Cottage Grove Road, while a 14-foot setback is proposed from Acewood Boulevard, which the Zoning Administrator has determined will serve as the front yard for the project for zoning purposes. A minimum setback of 55 feet is proposed between the new buildings and the northern property line shared with the adjacent apartment building. The courtyard between buildings will include community gardens, play area, 30- by 30-foot patio, and open lawn space for residents. In addition, all of the units will be provided entrance stoops, patios or balconies.

## Analysis

The applicant is requiring approval of a demolition permit and myriad conditional uses related to the new development. Any mixed-use or multi-tenant building over 40,000 square feet of gross floor area in the CC-T (Commercial Corridor–Transitional) zoning district requires approval of a conditional use. Section 28.151 states that any mixed-use building with more than 24 dwelling units in the CC-T district requires conditional use approval, while multi-family dwellings with greater than eight units, mixed-use buildings with less than 75% non-residential ground floor area, and buildings with less than 75% of non-residential ground-floor frontage facing the primary street including all frontage at a street corner require conditional use approval in the CC-T zoning district. The proposed townhouse (single-family attached) building requires Plan Commission approval of a conditional use because the building will be setback greater than 25 feet from the zoning front yard (Acewood Boulevard); a maximum of 100 feet may be approved per the code. Finally, because the subject site is part of a planned multi-use site containing greater than 40,000 square feet of floor area of which 25,000 square feet or more is designed or intended for retail use, conditional use approval is also required following a recommendation by the Urban Design Commission.

In order for the demolition of the existing buildings to be approved, the Plan Commission is required to find that both the requested demolitions and the proposed use are compatible with the purpose of Section 28.185 of the Zoning Code and the intent and purpose for the zoning district in which the property is located. The proposed use of the property following the demolitions should also be consistent with the Comprehensive Plan and any adopted neighborhood plans. When making its decision, the Commission may consider and give decisive weight to any relevant facts including but not limited to the effects the demolition and proposed use of the subject property following demolition would have on the normal and orderly development and improvement of surrounding properties, the reasonableness of efforts to relocate the building, including the costs of relocation and the structural soundness of the building, and the limits that the location of the building would place on relocation efforts.

Similarly, the Plan Commission may not approve an application for a conditional use unless it can find that all of the standards found in Section 28.183(6)(a), Approval Standards for Conditional Uses, are met. That section states: "The City Plan Commission shall not approve a conditional use without due consideration of the recommendations in the City of Madison Comprehensive Plan and any applicable, neighborhood, neighborhood development, or special area plan, including design guidelines adopted as supplements to these plans. No application for a conditional use shall be granted by the Plan Commission unless it finds that all of the [standards for approval in Section 28.183(6) are met]."

The Planning Division believes that the demolition permit can meet the standards for approval. The photos provided by the applicant suggest that the 21,500 square-foot former grocery store is in average to below-average condition, and staff believes that its demolition may be supported because the mixed-use redevelopment proposed to replace it will be more economically productive than the existing building and in a manner that is consistent with the statement of purpose for the CC-T zoning district, which was established to recognize the many commercial corridors in the City that are largely auto-oriented, and encourage their transformation into mixed-use corridors that are equally conducive to pedestrian, bicycle, transit and motor vehicle activity.

Likewise, staff believes that the numerous conditional use requests can meet the standards for approval. The uses, values and enjoyment of other property in the neighborhood for purposes already established should not be substantially impaired or diminished in any foreseeable manner by the establishment of the four-story mixed-use building and two-story townhouse building proposed for the site. Staff also does not believe that construction of the development will impede the normal and orderly development or improvement of surrounding properties in this long-established east side neighborhood. While the proposed buildings represent a significantly different building form compared to what currently exists on the subject site and along the section of Cottage Grove Road between Stoughton Road and Interstate 39-90, staff does not foresee how construction of the project will cause the surrounding neighborhood to not continue in much the same fashion as the area has functioned historically. Further, the Traffic Engineering Division has reviewed the project and has no concerns or major/non-standard conditions regarding traffic or parking impacts from the project.

During the review process, the applicant has worked with staff to address concerns regarding placement of the proposed buildings, improving the articulation of façades, and circulation through the property and relationship between it and the rest of the planned multi-use site. As a result, staff believes that the proposed development creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the CC-T zoning district consistent with conditional use standard #9. The Urban Design Commission reviewed the proposed development at its October 16, 2019 meeting and recommended final approval subject to the conditions in the 'Recommendations' section of this report.

The proposed redevelopment also reflects many of the recommendations for new development for this section of Cottage Grove Road in adopted plans.

The 2018 Comprehensive Plan identifies Cottage Grove Road as a "regional corridor" on the Growth Priority Areas map (pages 15-16), with the Acewood Boulevard intersection identified as a "transitioning center," which the planning process identified as underutilized centers/nodes/areas that could accommodate future growth. In general, growth priority areas are prioritized for "context sensitive" mixed-use infill development and redevelopment.

The Comprehensive Plan recommends that the subject site and nearby commercial properties on both sides of Cottage Grove Road for Neighborhood Mixed-Use development. Neighborhood Mixed-Use (NMU) districts include relatively small existing and planned activity centers that include residential uses, as well as retail, restaurant, service, institutional, and civic uses primarily serving nearby residents. Development and design in NMU areas should be compact and walkable, and such mixed-use areas should be well-connected and integrated into neighborhoods. Development in the NMU district should be transit-oriented, even in areas where transit service does not yet exist, and buildings should be oriented towards streets and located close to public sidewalks. On-street parking is recommended where practical, with private off-street parking placed primarily behind buildings, underground, or shielded from public streets by liner buildings. Non-residential uses in NMU areas should focus on serving nearby residents, though some buildings may also include specialty businesses, services, or civic uses that attract customers from a wider area. An individual building should not include more than 10,000 square feet of commercial space, except for buildings containing grocery stores and/or community facilities (such as libraries). Finally, buildings in NMU are recommended to be two to four stories tall and may include housing developed at a density up to 70 units per acre.

Staff believes that the building placement, density (36.8 units per acre), and site plan are consistent with NMU district recommendations in the Comprehensive Plan. Further, the proposed redevelopment of the former grocery store site is consistent with the intensity of development envisioned for the “transitioning” activity center along the Cottage Grove Road regional growth corridor.

The subject site is also subject to the recommendations in the Cottage Grove Road Activity Centers Plan, which was adopted by the Common Council in October 2017 to provide transportation, economic development, land use, design, and placemaking recommendations for the Cottage Grove Road corridor from Atwood Avenue and Monona Drive on the west and Interstate 39-90 on the east, with particular focus on the intersections of Cottage Grove Road at Atwood Avenue and Acewood Boulevard. The Plan generally encourages new development that serves the adjacent neighborhoods and provides stability to the activity centers, and encourages “significant” multi-story residential and mixed-use development on vacant lots and corner sites that will anchor, stabilize and revitalize both activity centers. New development is intended to support existing businesses by adding new residents in a variety of housing choices for people in different life stages and with various income levels. Commercial uses in the activity centers are recommended to focus on neighborhood-serving retail, personal services, and restaurants that serve the daily needs of residents as well as attract newcomers to the adjacent neighborhoods. The Plan includes a market study to analyze the type and amount of uses that the activity centers could support.

In the case of the “Acewood Activity Center,” the Cottage Grove Road Activity Centers Plan recommends the siting of new two- to four-story mixed-use and multi-family buildings at the Acewood Boulevard intersection, including an illustration of a four-story mixed-use building at the northeastern corner of the intersection where the existing grocery store exists. The Acewood Activity Center is recommended to predominantly feature housing with some limited mixed-use retail based on a market study in the plan, which effectively suggested that the intersection could no longer support the density of commercial space it had historically in part due to newer development further east along Cottage Grove Road, as well as evolving national patterns in retail. Space for some limited entrepreneurial or co-working opportunities was also recommended for the Acewood center. Incorporating affordable, quality housing in new developments is a specific recommendation of the plan. New mixed-use and multi-family buildings are recommended to front on the street, with parking placed to the side and rear.

Staff believes that the plans for the subject site are consistent with the land use, economic development, and design recommendations in the Cottage Grove Road Activity Centers Plan. The proposed mixed-use building will

anchor the northeastern corner of the intersection in a fashion similar to the illustration in the plan, with parking for the project to follow the recommendations in the plan to be located at the side, rear or below. In general, the proposed redevelopment of the subject site should provide new activity to the adjacent Rolling Meadows commercial center and surrounding area while not precluding or impeding the potential for the rest of the center to evolve into a denser, less auto-oriented center.

In addition, the amount and location of the commercial space are appropriate for the project, which staff feels reflects both the expectation created during the activity centers planning process and market study that the amount of retail at this intersection would likely decrease, and the general recommendation for Neighborhood Mixed-Use development in the Comprehensive Plan that non-residential floor area in NMU developments generally be limited to 10,000 square feet. As such, staff feels that the standards can be met to approve the conditional uses for non-residential space on the ground-floor frontage facing the primary street (Cottage Grove Road) less than 75% of building width and not reaching the corner of Acewood Boulevard, and mixed-use buildings with less than 75% non-residential ground floor area.

Finally, staff believes that the conditions exist to approve a conditional use to allow the five-unit townhouse building to be setback 97 feet from Acewood Boulevard. The Zoning Administrator has determined that all buildings on a zoning lot in CC-T zoning shall comply with the setback requirements of that district. The CC-T district allows a maximum 25-foot front yard setback, which is measured from Acewood in this case. Exceptions in the Zoning Code allow greater setbacks than 25 feet under various conditions. In this case, the project requires a conditional use to exceed the otherwise maximum 85-foot setback allowed if there is no on-street parking in front of the lot and at least 70% of the street-facing building wall is set back no more than 85 feet. A setback of up to 100 feet is possible if traffic circulation, drainage and or other site design issues are shown to require additional space. In this case, staff feels that the combination of acceptable building placement of the L-shaped mixed-use building between the townhouse building and Acewood Boulevard, the lack of on-street parking adjacent to the site, the generous courtyard at the center of the site, and the need to provide access around the proposed buildings and connectivity between the rest of the planned multi-use site and Acewood warrant granting this conditional use.

## Conclusion

The Planning Division does not object to the demolition of the existing grocery store. The Landmarks Commission informally reviewed the proposed demolition at its September 17, 2018 meeting and found that the building has no known historic value.

The Planning Division believes that the proposed mixed-use and residential redevelopment can meet the standards for approval for demolition permits, and conditional uses. The proposed development is consistent with the statement of purpose for the CC-T zoning district, which was established to recognize the many commercial corridors in the City that are largely auto-oriented, and encourage their transformation into mixed-use corridors that are equally conducive to pedestrian, bicycle, transit and motor vehicle activity. The project is also consistent with the adopted plan recommendations for the site and surroundings in the Comprehensive Plan and Cottage Grove Road Activity Centers Plan, including the specific land use, economic development, and design recommendations contained in the corridor plan for the Acewood Activity Center. Staff believes that the project should not have an adverse impact on the uses, values and enjoyment or normal and orderly development of surrounding properties, and that the proposed development will be both more aesthetically and economically productive than the existing building and the reuse of the site previously proposed for the site in 2016.



## Recommendation

### Planning Division Recommendation (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission **approve** a demolition permit and conditional uses to allow the demolition of a grocery store and construction of a four-story mixed-use building with 10,000 square feet of commercial space and 65 apartments, and a separate two-story, five-unit townhouse building at 4602 Cottage Grove Road subject to the conditions recommended by the Urban Design Commission, input at the public hearing, and the conditions from reviewing agencies:

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

#### Planning Division

1. Any proposed HVAC or utility penetrations on the building shall not face Cottage Grove Road and Acewood Boulevard. Any such penetrations elsewhere on the exterior of the building shall be designed to be perpendicular to the facades to limit their visibility to the greatest extent possible. No utility or HVAC pedestals or penetrations, including HVAC wall packs for units, and gas meters or electric meters for buildings/ units shall be permitted without specific approval by the Plan Commission.
2. Widen all four-foot wide sidewalks to five feet and increase driveway length on townhouse side to limit vehicle overhangs on sidewalk.
3. Note: As each commercial 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.

### Urban Design Commission (Contact Janine Glaeser, 267-8740)

The Urban Design Commission recommended **final approval** of the project on October 16, 2019 subject to the following conditions:

4. Widen all four-foot wide sidewalks to five feet and increase driveway length on townhouse side to limit vehicle overhangs on sidewalk.
5. Put in conduit for site to be Electric Vehicle (EV)-ready.
6. Provide more detail on proposed window frame materials, including a sample for staff review.
7. The landscape plan shall have planting bed edges and delineations between what are plants and what is lawn.
8. Revise the landscaping plan to replace the following landscaping species with other species to be approved by staff: Stella de Oro daylilies with another species; the few shrubs listed should be replaced with higher quality species; replace the pear tree with Katsura or red buckeye; and replace the sedum for something like Matrona for more color.

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

9. The applicant is made aware that the City of Madison is proposing changes to the stormwater management standards for redevelopment. Those standards are expected to be adopted early in 2020. As currently drafted the requirements would require that: 1) the site propose 80% or less of the amount of impervious area that currently exists on the site, or 2) the development reduce by 5% the volume being discharged off site and reduce by 15% the peak rate of discharge during the 10-year design storm.
10. The applicant proposes a stormwater management facility to be constructed in the middle of the development. It would appear that the overflow elevation for this facility is at approximately 884.05, while adjacent building elevations are at 884.50. The applicant shall provide calculations to document that the building shall be free of flood inundation during a 500-year storm event.
11. Obtain a permit to Excavate in the Right-of-Way for completing the improvements in the public right of way.
12. Madison Metropolitan Sewerage District (MMSD) are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
13. If any earth retention crosses into the City right of way, provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
14. Obtain a permit to Excavate in the Right-of-Way for the connection and/or installation of utilities required to serve this project and shall comply with all the conditions of the permit.
15. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development.
16. Obtain a permit to plug each existing storm sewer.
17. An Erosion Control Permit is required for this project.
18. A Storm Water Management Report and Storm Water Management Permit is required for this project.
19. A Storm Water Maintenance Agreement (SWMA) is required for this project.
20. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 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. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or CARPC is required for this project to proceed.

21. 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.
22. The proposed development proposes to construct underground parking. The proposed entrance to the underground parking is adjacent to a street low point. The applicant shall provide at a minimum of one (1) foot of rise from the adjacent back of walk in the driveway before breaking grade to the down ramp to the underground parking to protect the underground parking from inundation.
23. 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 100-year design storm that is current in MGO Chapter 37. 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.
24. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
25. This project will disturb 20,000 square feet or more of land area and requires an Erosion Control Plan. Please submit an 11" x 17-inch copy of an erosion control plan (PDF electronic copy preferred) to Megan Eberhardt (west) at [meberhardt@cityofmadison.com](mailto:meberhardt@cityofmadison.com), or Daniel Olivares (east) at [daolivares@cityofmadison.com](mailto:daolivares@cityofmadison.com), for approval.
26. Demonstrate compliance with MGO Section 37.07 and 37.08 regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
27. This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Madison-Dane County Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.
28. This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.
29. 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.
30. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Storm Water Management Plan and Report shall include compliance with the following:

Report: Submit prior to plan sign-off, a stormwater management report stamped by a PE registered in the State of Wisconsin.

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. 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 to City Engineering.

TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any best management practices (BMP) used to meet stormwater management requirements on this project.

31. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the City Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
32. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the City Engineering Division. Email PDF file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West).

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

33. Access rights are provided by Document No. 1484750 from this parcel easterly to Flora Lane over adjacent lands. An amendment or new agreement to clarify the planned common reciprocal access routes between all of the properties from Acewood Boulevard to Flora Lane shall be provided for review and recorded prior to final site plan sign off.
34. The parking stalls and access as part of the Easement Agreement per Document No. 1385736 are being reconfigured and removed from this site. Provide a recorded release of this agreement prior to final site plan sign off.
35. Portions of bio-retention areas #2 and #3 straddle the east property line of this site and lie partially on the adjacent property. Provide the easement agreement permitting the areas to reside partially on the adjacent property for review. A recorded copy of the easement agreement shall be provided prior to final site plan sign off.
36. The proposed commercial tenant is assigned an address of 4610 Cottage Grove Road. The base address of the apartments is 951 Acewood Blvd. The standalone townhouses and perhaps some of the townhouses within the main building will have addresses created with the creation and approval of the addressing plan. 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.

**Traffic Engineering Division** (Contact Eric Halvorson, 266-6527)

37. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawing 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.
38. 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.
39. 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.
40. All parking facility design shall conform to the standards in MGO Section 10.08(6).
41. The applicant shall work with Traffic Engineering staff to determine the final specifications and placement of the proposed speed hump in the drive aisle.
42. The applicant(s) shall maintain a five-foot wide, Americans with Disabilities Act (ADA) compliant, pedestrian walkway for the duration of the project on all street frontages classified as a collector or higher. The applicant shall also maintain a five-foot wide bicycle lane for the duration of the project on all street frontages with existing bicycle facilities. Exceptions to this requirement may be granted by Traffic Engineering on a limited term basis if and when the applicant can show a public safety concern and they also provide a clear date when the pedestrian/bicycle facilities are to be restored. All closures shall be designed by the applicant, in accordance with the Manual on Uniform Traffic Control Devices (MUTCD), to be submitted and approved by the Traffic Engineering Division.
43. All bicycle parking adjacent pedestrian walkways shall have a two-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers
44. All pedestrian walkways adjacent parking stalls shall be seven (7) feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by the Traffic Engineering Division.
45. Per MGO Section 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.
46. The applicant shall adhere to all vision triangle requirements as set in MGO Section 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 Section 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.

47. The applicant shall provide a clearly defined five-foot 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.
48. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all Class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
49. The applicant shall show the dimensions for the proposed Class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
50. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
51. The developer shall provide a recorded copy of any joint driveway ingress/egress and cross-access easements and shall be noted on face of plan.
52. Items in the right of way are not approvable through the site plan approval process. Make a note on all pages showing improvements in the right of way that states: "The Right-of-Way is the sole jurisdiction of the City of Madison and is subject to change at any time per the recommendation/plan of Traffic Engineering and City Engineering Divisions."

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

53. 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 (266-4682). Section 28.185(10) requires that 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. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
54. Clearly show the useable open space areas on the final plans. In addition to showing structured useable open space at roof decks, porches, and balconies, identify each qualifying at-grade usable open space area on the final plans. Roof decks, porches, and balconies may be used to meet up to 75% of the minimum open space requirement, provided that minimum dimensional requirements are satisfied.
55. 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.
56. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

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

57. MGO 34.503/IFC 503 Appendix D105, Provide an aerial apparatus access fire lane that is at least 26 feet wide, if any part of the building is over 30 feet in height. The near edge of the aerial fire lane shall be within 30 feet and not closer than 15 feet from the structure, and parallel to one entire side. The aerial fire lane shall cover not less than 25% of the building perimeter. Provide dimensions of the fire lane widths and the distance to the face of the building for the aerial access lanes. Ensure all fire lanes are located outside of any on-street parking.
58. Please consider allowing the Madison Fire Department to conduct training sequences prior to demolition. Contact Division Chief Tracy Burrus of the MFD Training Division to discuss this possibility at [tburrus@cityofmadison.com](mailto:tburrus@cityofmadison.com) or 266- 5959.

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

59. The Madison Water Utility shall be notified to remove the water meters at least two working days prior to demolition. Contact the Water Utility Meter Department at 266-4765 to schedule the meter removal appointment.
60. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two working days' notice between the application submittal and the scheduled lateral connection/extension. 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 Avenue. 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. If you have questions regarding water service applications, please contact Madison Water Utility at 266-4646.
61. All operating private wells shall be identified and permitted by the Water Utility and all unused private wells shall be abandoned in accordance in accordance with MGO Section 13.21.

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

62. In coordination with any public works improvements, the applicant shall maintain or replace the concrete boarding pad and shelter pad at the existing Metro bus stop on the east side of Acewood Boulevard, north of Cottage Grove Road (#7925). 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.

**Parks Division** (Contact Kathleen Kane, 261-9671)

63. 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 MGO Sec. 16.23(8)(f), nor any other impact fees that may apply to a development.

64. 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 MGO Sec. 4.22(2) 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.
65. 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# 18164 when contacting Parks Division staff about this project.

**City Forestry Section** (Brad Hofmann, 267-4908)

66. 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 prior to the approval of the site plan.
67. 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. Tree protection specifications can be found in Section 107.13 of *City of Madison Standard Specifications for Public Works Construction*. Any tree removals that are required for construction after the development plan is approved will require at least a 72-hour waiting period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.
68. Additional street trees are needed for this project. All street tree planting locations and tree 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*.