

PLANNING DIVISION STAFF REPORT

January 11, 2021



PREPARED FOR THE PLAN COMMISSION

Project Address: 1402 S Park Street
Application Type: Conditional Use
Legistar File ID # [62944](#)
Prepared By: Timothy M. Parks, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, Planning Division

Summary

Applicants: Brandon Rule, Rule Enterprises, LLC; 1023 S 26th Street; Milwaukee and Megan Schuetz, Movin' Out, Inc.; 902 Royster Oaks Drive, Suite 105; Madison.

Contact Person: Melissa Huggins, Urban Assets, LLC; 807 E Johnson Street; Madison.

Property Owner: City of Madison; Dan Rolfs, Economic Development Division, representative.

Requested Actions: Approval of conditional uses in the TSS (Traditional Shopping Street) district for a mixed-use building exceeding 25,000 square feet of floor area for a mixed-use or multi-tenant building; a building exceeding three (3) stories and 40 feet; a mixed-use building with greater than 24 dwelling units; a mixed-use building with less than 75% non-residential ground floor facing the primary street; a conditional use to reduce the number of off-street loading spaces required; and a mixed-use building with less than 75% non-residential ground floor area, all to allow construction of a six-story mixed-use building with approximately 25,000 square feet of commercial space and 150 apartments.

Proposal Summary: The applicants propose to construct a mixed-use building at the southwestern corner of S Park Street and future Cedar Street, which will contain an approximately 25,000 square-foot grocery store on the ground floor adjacent to S Park Street and 150 total apartments. Parking for 161 automobiles and 192 bicycles is proposed. The building will include a six-story wing adjacent to S Park Street that will transition to a five-story western wing. 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 applicants propose to commence construction of the proposed building on April 21, 2021, with completion anticipated circa July 31, 2022.

Applicable Regulations & Standards: Section 28.151 states that any mixed-use building with more than 24 dwelling units in the TSS (Traditional Shopping Street) district requires conditional use approval. Section 28.065(3)(c) requires conditional use approval for a building in TSS zoning taller than three stories and 40 feet. Section 28.65(3)(b) requires conditional use approval for a building with a rear yard height transition to a residential district exceeding the height and/or ratio limitation. Section 28.65(4)(a) requires conditional use approval for a building containing two or more uses that exceeds 25,000 square feet of floor area in TSS zoning. Per Section 28.141(5), a parking reduction of more than 20 spaces but less than 25% of the required parking may be approved by the Director of Planning, Community and Economic Development. Section 28.141(13)(b) requires a conditional use to reduce the number of off-street loading spaces required (two). Conditional use approval is also required in the TSS District for a building with less than 75% non-residential ground floor area. Section 28.183 provides the process and standards for the approval of conditional use permits. The site is also located in Urban Design District 7, which requires Urban Design Commission approval using the standards and guidelines in Section 33.24(14).

Review Required By: Urban Design Commission and Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the standards for demolition permits and conditional uses are met to **approve** construction of a six-story, mixed-use building at 1402 S Park Street subject to input at the public hearing, the approval of the Urban Design Commission, and the conditions from reviewing agencies beginning on page 8 of this report.

Background Information

Parcel Location: An approximately 2.65-acre development parcel located at the southwestern corner of S Park Street and future Cedar Street; Aldermanic District 13 (Evers); Urban Design Dist. 7; Madison Metropolitan School District.

Existing Conditions and Land Use: Undeveloped land, zoned TSS (Traditional Shopping Street District).

Surrounding Land Use and Zoning:

North: Pick ‘n Save grocery store and Dean Clinic parking lot, zoned CC-T (Commercial Corridor–Transitional District);

South: Surface parking, US Post Office, Meriter Health clinic, and Labor Temple, zoned CC-T;

East: Beld Triangle Park and Hansen’s Auto Service Center across S Park Street, zoned CC-T; and

West: Shenandoah Apartments, zoned TR-U1 (Traditional Residential–Urban 1 District).

Adopted Land Use Plans: The 2018 Comprehensive Plan recommends that the subject site and adjacent properties on the west side of S Park Street for Regional Mixed-Use development.

The subject site is located within the boundaries of the 2005 South Madison Neighborhood Plan, which generally recommends that redevelopment activities in the same triangle formed by S Park Street, Fish Hatchery Road, and Wingra Creek emphasize business retention and expansion, increased connectivity, street-oriented development with an emphasis on urban building forms, and the placement of parking to the side and rear of buildings.

Finally, the subject site is located within the boundaries of the 2006 Wingra Market BUILD Market Study and Redevelopment Plan, which includes the subject property, the Labor Temple, and adjacent US Post Office properties in Sub-Area 1 of the plan. The recommendations for Sub-Area 1 generally encourage “major mixed-use, transit-oriented development” with office, housing and commercial elements, and a “more concentrated cluster of neighborhood-oriented retail stores and services in the vicinity of the [Pick ‘n Save].”

Zoning Summary: The project will be developed in the TSS (Traditional Shopping Street District).

Requirements	Required	Proposed
Lot Area (sq. ft.)	Not required for mixed-use buildings	115,391 sq. ft.
Minimum Front Yard Setback	0’	10.6’ from S Park Street
Maximum Front Yard	25’	

Requirements		Required	Proposed
Side Yard Setbacks		6' (Where proposed or abutting buildings have window openings in side walls within 6' of lot line)	8.95' (North) 30.0' (South)
Rear Yard		The lesser of 20% of lot depth or 20'	45.14'
Maximum Lot Coverage		85%	83.6%
Useable Open Space		40 sq. ft. per unit (6,000 sq. ft.)	6,500 sq. ft.
Minimum Building Height		3 stories/ 40 feet	6 stories/ 65 feet
Auto Parking		Multi-family dwelling: 1 per unit (150); Food and related goods sales: 1 per 400 sq. ft. floor area (62) (212 total)	161 (See conditions)
Accessible Stalls		Yes	None shown (See conditions)
Bike Parking		Multi-family dwelling: 1 per unit up to 2-bdrms, half space per add. bdrm. (165); 1 guest space per 10 units (15) Food and related goods sales: 1 per 2,000 sq. ft. floor area (12) (192)	235 total: 203 garage; 32 surface (See conditions)
Loading		2 (10' X 50')	(See conditions)
Building Forms		Podium Building	(See conditions)
Other Critical Zoning Items			
Yes:	Urban Design (UDD 7), Barrier Free, Utility Easements		
No:	Floodplain, Landmarks, Waterfront Development, Adjacent to Park, Wellhead Protection		
Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator			

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

Public Utilities and Services: This property is served by a full range of urban services. Metro Transit currently operates all-day transit service along S Park Street adjacent this property. The existing bus stop is on the west side of S Park Street, north of Cedar Street. The planned bus stop will shift south upon completion of construction of the extension of Cedar Street.

Previous Approvals

On June 4, 2020, the Secretary of the Plan Commission administratively approved a one-lot Certified Survey Map of property located at 1402 S Park Street and dedicated right of way for the extension of Cedar Street. A resolution approving the CSM was approved by the Common Council on June 2, 2020. Final recording of the CSM is pending.

On January 7, 2020, the Common Council approved a request sponsored by Ald. Tag Evers, District 13 to rezone 1402 S Park Street from CC-T (Commercial Corridor-Transitional) district to TSS (Traditional Shopping Street) district to facilitate redevelopment of the site in accordance with the objectives in the Truman Olson RFP.

On November 19, 2012, the Plan Commission approved a demolition permit to allow the former Truman Olson Army Reserve Center at 1402 S Park Street to be demolished to accommodate a future public street extension.

Project Description

The applicant is requesting approval of conditional uses to construct a mixed-use building at the southwestern corner of S Park Street and future Cedar Street, which will contain an approximately 25,000 square-foot grocery store on the ground floor adjacent to S Park Street and 150 total apartments.

The proposed building will parallel Cedar Street, a new east-west local street that will be constructed as a City project in 2021 between S Park Street and South Street. Ultimately, Cedar Street will extend west between South Street and Fish Hatchery Road in fulfillment of a recommendation in the 2006 Wingra Market BUILD Market Study and Redevelopment Plan to improve connectivity within 85-acre triangle formed by Fish Hatchery Road, S Park Street, and Wingra Drive. [The westernmost segment of extended Cedar Street will be constructed in 2022.] The proposed building will be encircled on the south and west by a one-way service drive exiting to Cedar Street, which will provide access to a one-bay loading dock for the grocery store and trash room for the complex.

The mixed-use building will be composed of a six-story wing adjacent to S Park Street that will transition to a five-story western wing adjacent to the two-story Shenandoah Apartments, which abut the western property line and front onto South Street. The grocery store will occupy most of the first floor of the eastern wing, with two entry doors shown from the Cedar Street sidewalk as well as an entrance from the parking structure that the commercial and residential components of the building will share. A residential lobby accessed from Cedar Street will also be located in the eastern wing. The grocery store and first floor of the building will project toward the S Park Street sidewalk before stepping back at the second floor of the six-story eastern wing. The mass of the grocery store will read as two stories from the Park-Cedar intersection before transitioning into a more traditional floor-to-floor configuration as shown on the submitted floorplans. The six-story wing will stand 65 feet in height and will be clad with a combination of brick, metal panel, and board and batten siding.

The building will extend approximately 530 feet parallel to Cedar Street. The mass will transition from six stories to five at the proposed entrance to the parking structure from Cedar Street (no parking access is proposed from the one-way service drive). The six-story eastern wing will extend approximately 272 feet parallel to Cedar Street before transitioning to the five-story western wing, which will extend 253.75 feet. An approximately 15-foot deep transition is proposed to assist in breaking down the mass of the northern façade of the overall structure. The western wing will stand 52 feet in height and will be clad in contrasting composite siding.

The 150 units proposed will consist of 75 one-bedroom apartments, 50 two-bedroom apartments, and 25 three-bedroom apartments. Parking for 161 automobiles and 235 bicycles is proposed for the overall project. All of the automobile stalls and 203 of the bike stalls will be located within the building, with the auto parking located on three ramped levels located along the southern wall of the western wing and the bike stalls provided within a bike room on the first level of the parking structure. The letter of intent indicates that 60 of the auto stalls will be reserved for the grocery store; no information on how the sharing of parking within the garage has been provided.

A 4,000 square-foot roof terrace will be located along the southern wall of the third floor of the eastern, six-story wing adjacent to resident fitness and community rooms. Additionally, the applicants propose a playroom on the second floor, and “youth lounges” on the third, fourth, and fifth floors. A passive green roof is proposed above the one-story section of the grocery store.

Rule Enterprises was selected to redevelop the Truman Olson site through a competitive process on December 3, 2019 (Resolution 19-00819 (ID 58251)), who subsequently chose Movin’ Out as co-developer. The applicants have 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 on February 25, 2020 (Resolution 20-00144 (ID [59334](#))).

Analysis

The mixed-use development requires numerous conditional use approvals in the TSS zoning district, including conditional uses related to the size of the building, a building taller than three (3) stories and 40 feet in height, the number of dwelling units in the mixed-use building, and reductions to the required number of loading stalls. The project also requires approval by the Director of the Department of Planning and Community and Economic Development of an automobile parking reduction greater than 20 spaces but less than 25% of the required parking as allowed by the Zoning Code (a parking reduction exceeding 20 spaces and 25% of the required parking would require conditional use approval).

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 2018 Comprehensive Plan recommends that the subject site and adjacent properties on the west side of S Park Street for Regional Mixed-Use (RMU) development. The RMU land use category includes existing and planned high-intensity centers supporting a variety of multi-family housing options and commercial activity serving the needs of the region. These areas typically include large-scale sites supportive of multi-story buildings up to twelve stories in height, subject to recommendations in adopted sub-area plans. RMU areas are intended to be the most intensively developed areas of the City outside of downtown and are mapped close to the junctions of major streets, along major roads, close to highway interchanges, and along existing and planned high-frequency/high-capacity public transit routes. RMU areas should be well connected with the adjoining street network and be transit-oriented, with a pedestrian-friendly public street network and buildings placed close to the sidewalk and street, and with parking located behind buildings, underground, on street, or in parking structures.

The Comprehensive Plan also identifies S Park Street from Regent Street to the Beltline Highway as a "regional corridor" on the Growth Priority Areas map (pages 15-16). In general, growth priority areas are prioritized for "context sensitive" mixed-use infill development and redevelopment. The corridors on the Growth Priority Areas map are planned for a mix of uses along their length, and most of the corridors, including S Park Street, are planned to transition from being historically auto-oriented to more transit-, walking-, and bike-friendly forms of development. The Wingra Triangle is also generally identified as a transitioning regional activity center on the Growth Priority Areas map; regional activity centers tend to be larger in size, located along major streets and transit routes, and have the capacity to serve as a relatively intense mixed-use center for both the surrounding area and the city as a whole. Transitioning centers have existing commercial or employment development that should transition to a mix of uses over time and ideally have amenities already in place that can support residential development.

The subject site is located within the boundaries of the 2005 South Madison Neighborhood Plan, which generally recommends that redevelopment activities in the Wingra Triangle formed by S Park Street, Fish Hatchery Road and Wingra Creek emphasize business retention and expansion, increased connectivity, street-oriented

development with an emphasis on urban building forms, and the placement of parking to the side and rear of buildings.

The subsequent Wingra Market Study and Conceptual Redevelopment Plan Summary Report ("Wingra Plan") adopted in 2006 studied the market potential for redevelopment of the Wingra Triangle and provided a series of broad planning and urban design recommendations to guide future redevelopment activities. The subject property, Labor Temple property, and adjacent US Post Office properties are located in Sub-Area 1 of the plan, which extends along the S Park Street frontage from the forthcoming extension of Cedar Street to Wingra Drive. The recommendations for Sub-Area 1 generally encourage "major mixed-use, transit-oriented development" with office, housing and commercial elements, and a "more concentrated cluster of neighborhood-oriented retail stores and services in the vicinity of the [Pick 'n Save]."

The extension of an east-west street through the planning area between S Park and Fish Hatchery Road is one of the key recommendations in the Wingra Plan. As noted earlier in this report, Cedar Street will be extended in phases in 2021 and 2022 through City public works projects. Secondly, the Wingra Plan recommends that north-south street be extended from future Cedar Street to Wingra Drive roughly midway between S Park and South Streets. The planned north-south street would extend through the subject site and adjacent parcels to the south to provide additional access for development in Sub-Area 1. However, during the preparations for the request for proposals process for the subject Truman Olson site, staff from Planning Division, City Engineering Division, and Traffic Engineering Division reviewed the potential for the north-south street to be constructed and determined that it was unlikely due to the presence of hydric inclusions in the wooded area located between the subject site and Post Office building, with a considerable likelihood that wetlands were present. A wetland delineation would be needed to confirm whether wetlands were present, which if they were, would reduce the efficacy and feasibility of the street. During the RFP process, it was therefore determined not to require the street extension, which in turn is not accommodated in the plans for the six-story building.

Staff believes that the conditional use requests to construct the six-story mixed-use building is consistent with the above plan recommendations and can meet the standards for approval. The uses, values and enjoyment and normal and orderly development of surrounding properties should not be substantially impaired or diminished in any foreseeable manner by the establishment of the building, and staff is unaware of any agency concerns that would suggest that the project will adversely impact the transportation network or the City's ability to provide services to the proposed development. The proposed redevelopment of the former Truman Olson Army Reserve Center with a high-density mixed-use project fulfills over a decade of planning efforts for the site, which will culminate in the furnishing of much needed affordable housing and a neighborhood-serving grocery store, which should be completed closely timed with the anticipated (but not confirmed) closing of the Pick 'n Save store adjacent to the north.

The Planning Division also believes that the Plan Commission can find that conditional use standard 12 is met to allow the proposed building to exceed the three-story and 40-foot height threshold in the TSS district. Per standard 12:

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

As noted in the preceding section of the report, the building will be between 52 and 65 feet tall, with the greatest height closer to S Park Street. As noted earlier in this section, the site is included in the RMU land use category in the 2018 Comprehensive Plan, which allows for consideration of up to twelve-story buildings where called for in more detailed plans. In this case, the Wingra Market Study and Conceptual Redevelopment Plan Summary Report recommends “major mixed-use, transit-oriented development” for this portion of the planning area along S Park Street while not specifying a maximum height limit. Staff believes that the proposed six-story building reflects the character and type of development recommended for the site and feels that it would not be in the public interest to not approve the proposed height above 40 feet. Staff also feels that the height and transition between the proposed five-story wing of the building and the adjacent two-story Shenandoah Apartments to the west along South Street is appropriate given the distance between the buildings. The subject building will be at least 45 feet from the western property line of the site, with the nearest Shenandoah building located approximately 70 feet further to the west.

Finally, the proposed development is requesting approval of a conditional use to have fewer off-street loading stalls than required by the Zoning Code. In the case of the proposed development, the Zoning Code requires two 10-foot wide and 50-foot deep loading stalls to serve the 25,000 square feet of commercial space and 150 dwelling units. The applicants are proposing one stall adjacent to the south wall of the grocery store, which will also serve the trash room for the project. Staff believes that the one stall may be sufficient subject to review and approval by the City Traffic Engineer of a commercial delivery plan and residential move-in/move-out plan prior to final approval of the project and issuance of building permits for the project.

The subject site is located in Urban Design Dist. 7, which requires approval of the proposed development by the Urban Design Commission. The Urban Design Commission reviewed the project at its December 2, 2020 meeting and granted **initial** approval subject to conditions, which are noted in the Recommendations section of this report. Final approval of the project by UDC is required prior to issuance of permits for the redevelopment. The full Urban Design Commission legislative file, including prior plans sets and reports, may be found at ID [62064](#).

Conclusion

The applicant is requesting approval of conditional uses in the TSS zoning district to construct a six-story mixed-use building with 25,000 square feet of ground floor commercial space and 150 apartments on the undeveloped 2.65-acre site of the former Truman Olson Army Reserve Center at the southwestern corner of S Park Street and future extended Cedar Street.

Staff believes that the project is generally consistent with the adopted plan recommendations for the site and surroundings in the 2018 Comprehensive Plan and Wingra Market Study and Conceptual Redevelopment Plan Summary Report. The proposed redevelopment will result in much needed affordable housing and the continued presence of a neighborhood-serving grocery store for the area. 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 various requests can meet the standards for approval, including the request to exceed the three-story, 40-foot height threshold in the TSS zoning district.

Recommendation

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

The Planning Division recommends that the Plan Commission find that the standards for conditional uses are met to **approve** the construction of a six-story, mixed-use building at 1402 S Park Street subject to input at the public hearing, the approval of the Urban Design Commission, and the following conditions:

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

Planning Division

1. The applicant shall submit a commercial delivery plan and residential move-in/move-out plan for approval by the City Traffic Engineer prior to final approval of the project and issuance of building permits for the project.
2. Submit a section demonstrating compliance with the rear yard height transition to the residentially zoned properties abutting the western property line per Section 28.065(3)(b).
3. The final plans shall be revised to provide a project data table on the first page of the set, which provides a complete accounting of the proposed building area, gross floor area, dwelling units by type, and automobile and parking spaces.
4. The floorplans and site plan shall be revised to provide all exterior dimensions of the building, including the transition between the eastern and western wings and the full length of the northern façade (including the grocery store).
5. Utility and HVAC pedestals or penetrations (including HVAC wall packs for units, and gas meters or electric meters for the building or units) are approved as shown on the plans. No other utility or HVAC pedestals or penetrations shall be permitted to face a public street or adjacent residential property without approval of an alteration to this conditional use should they be proposed at a later time.

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

The Urban Design Commission granted **initial approval** of the project on December 2, 2020 subject to the conditions below. Final approval is required prior to final sign-off and issuance of projects for the development.

6. Response to comments on the play space and the development of that corner of the site, which is highly tied to stormwater management.
7. Explore potential expansion of green roofs.
8. Explore significant creative alternatives for recreation space on-site.
9. Address the parking structure use of the top level adjacencies and proximity to windows, and that space between cars and windows.
10. Revisit the white siding for something darker, looking at how the second/western building is articulated to address the flat and long that façade is, how the white vs. brick is articulated, and the walk-up from the two-stories along that plane.

11. Incorporation of the string lights as a feature on the north side.
12. Members comments regarding use of a sort of a cistern or holding solution for the stormwater and creative solutions to stormwater and how it relates to recreational space, including a cistern system under the parking.
13. Units facing south should have an equitable feel to them as the north. The detailing is less on that side, the parking is on that side.
14. Consideration of Alders Carter and Evers requests for more color and vitality [in the building design].

City Engineering Division (Contact Tim Troester, 267-1995)

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| 15. This site cannot be served with storm or sanitary sewer until utilities are run up South Street via a public project in 2021. The developer shall acknowledge and plan the timing of their project to coordinate with the public project. |
| 16. Revise plans to show the City's proposed utility improvements with Cedar Street: (South Street to S Park Street) project (City Project #11866). Contact Daniel Olivares, daolivares@cityofmadison.com for copies of the City's utility plans to incorporate with your site plan. |
17. Madison Metropolitan Sewerage District (MMSD) charges 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.
 18. An Erosion Control Permit is required for this project.
 19. A Storm Water Management Report and Storm Water Management Permit is required for this project.
 20. A Storm Water Maintenance Agreement (SWMA) is required for this project.
 21. 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 Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.
 22. The City will be performing a public works contract to construct improvements on Cedar Street and S Park Street Coordinate construction with the City's contractor.
 23. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used.

24. Revise plan to show the location of all rain gutter down spout discharge locations.
25. 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. The developer/owner are strongly encouraged to complete their own calculations and determine an elevation that protects their property to a level of service that they are comfortable with.
26. This project will disturb 4,000 square feet or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.
27. This project will disturb 20,000 square feet or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.
28. Demonstrate compliance with Section 37.07 and 37.08 of Madison General Ordinances 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.
29. 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, Public Health Madison-Dane County, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.
30. 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.
31. 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 Madison General Ordinances.
32. Prior to approval, this project shall comply with Chapter 37 of the 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 & Report shall include compliance with the following:
 - Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. 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. (POLICY and MGO 37.09(2))

Rate Control: Reduce the peak discharge in the 10-year event by 15 % compared to existing conditions.

Volume Control: Reduce by 5% the peak volume discharged during the 10-year event compared to existing conditions.

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

Rate Control: Detain the 2-, 10-, and 100-year storm events, matching post development rates to predevelopment rates and using the design storms identified in MGO Chapter 37.

Infiltration: Provide infiltration of 90% of the pre-development infiltration volume.

TSS New Development: Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.

TSS Redevelopment not TMDL: Reduce TSS by 40% (control the 20-micron particle) off of new paved surfaces as compared to no controls.

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

Oil/Grease Control: Treat the first half-inch of runoff over the proposed parking facility and/or drive up window.

Volume Control: Provide onsite volumetric control limiting the post construction volumetric discharge to the predevelopment discharge volume as calculated using the 10-year storm event.

Thermal Control: Provide substantial thermal control to reduce runoff temperature in cold water community or trout stream watersheds.

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.

33. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.

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

34. A 10-foot wide Temporary Grading and Sloping Easements to the City of Madison for the construction of future public improvements along Cedar Street and S Park Street have been placed on the related Certified Survey Map. The easement shall terminate upon the completion of construction of all public improvements within Cedar St and Sidewalk along Park Street.
35. The address of the apartments is 815 Cedar Street. The address of the commercial is 801 Cedar Street. 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.

36. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to Zoning and Building Inspection staff prior to issuance of building permits for new construction.
37. Submit a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page 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 final verification submittal stage of this LNDUSE 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 Division (Contact Sean Malloy, 266-5987)

38. Parking deck is insufficiently labeled/dimensioned for a proper review. If the parking does not meet MGO Section 10.08 the applicant can expect to be required to make major alteration which may or may not impact structural elements of this site.
39. The applicant shall submit for review a waste removal plan, which shall include vehicular turning movements.
40. The applicant shall demonstrate use of loading zone with turning template.
41. The applicant shall prepare a Traffic Demand Management Plan (TDMP) to be reviewed and approved by the City Traffic Engineer per MGO Section 28.183(6)(a)(6).
42. 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.
43. 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.
44. 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.
45. All parking facility design shall conform to MGO Section 10.08(6).

46. All bicycle parking adjacent pedestrian walkways shall have a two-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
47. 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.
48. 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.
49. 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.
50. The applicant shall provide a clearly defined five-foot walkway from the front door to the public Right of Way 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.
51. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds three stories prior to sign-off to be reviewed and approved by Austin Scheib, (266-4768) (ascheib@cityofmadison.com) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
52. The driveway slope to the parking is not identified in the plan set, Traffic Engineering staff recommends driveway slope under ten percent.
53. "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.
54. One way operation of the site shall be secured by placing a "One Way" sign at the entrance and a "Do Not Enter" sign at the exit.
55. The applicant shall show the dimensions for the proposed Class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
56. Note: This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, protected walkways will be constructed and maintained as soon as possible and little to no access to the public right-of-way on S Park Street will be granted for construction purposes. Provide a detailed

construction plan to Traffic Engineering for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

57. 212 vehicle parking stalls are required, and 161 stalls are provided. A parking reduction of 51 stalls (24% of required parking) will be required. A parking reduction of more than 20 spaces but less than 25% of the required parking may be approved by the Director of Planning, Community and Economic Development. Submit a request for a parking reduction with the final plan submittal including information to support the argument for reducing the required number of spaces.
58. A minimum of 192 total bicycle stalls are required, and 235 bicycle stalls are proposed. Four (4) bicycle parking spaces above the minimum number required may be substituted for one (1) required automobile parking space. Bicycle parking provided above the minimum number of required stalls may reduce the amount of the vehicle parking reduction which is requested.
59. Submit a section demonstrating compliance with the rear yard height transition to the residentially zoned properties abutting the western property line per Section 28.065(3)(b).
60. Provide a dwelling unit summary with the numbers and types of dwelling units (number of bedrooms) per floor.
61. Provide a parking summary with the numbers of vehicle parking stalls, accessible stalls, and bicycle stalls per level.
62. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e). Final plans shall show the required accessible stalls including van accessible stalls. A van accessible stall is a minimum of 8 feet wide with an 8 foot wide striped access aisle. Show the required signage at the head of the stalls.
63. Bicycle parking for the commercial tenant spaces shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11). A minimum of 165 resident bicycle stalls are required plus a minimum of 15 short-term guest stalls. Up to 25% of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5)-foot access aisle for wall mount parking. Show the dimensions of the bicycle stalls and the access aisles on the plans. Note: A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5)-foot wide access area. The access aisle must not be obstructed by vehicles, columns or other structures. Provide a detail of the proposed bike rack including any structured or wall mount bike racks.
64. 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 10,000 square feet in size must be prepared by a registered landscape architect.
65. Screening is required adjacent the zoning district boundary along the south side property line. Screening shall be provided along side and rear property boundaries between commercial/ mixed-use districts and residential districts. Screening shall consist of a solid wall, solid fence, or hedge with year-round foliage, between six (6) and eight (8) feet in height. Submit a detail of the screening fence with the final plans.

66. Provide details showing that the primary street façade abutting N Whitney Way meets the door and window opening requirements of Section 28.060(2)(d). For nonresidential uses at ground floor level, windows and doors or other openings shall comprise at least 60% of the length and at least 40% of the area of the ground floor of the primary street facade. At least 50% of windows on the primary street facade shall have the lower sill within three (3) feet of grade. For residential uses at ground level, a minimum of 15% of the ground level of residential facades or side and rear facades not fronting a public street shall consist of windows and door openings. On upper stories, window or balcony openings shall occupy a minimum of 15% of the upper-story wall area.
67. Provide details of the rooftop terrace and patio areas, including resident amenities such as landscape planters, green roof areas, or fixed seating spaces.
68. Required loading facilities shall comply with MGO Section 28.141(13). Provide two (10' x 50') loading areas with 14 feet of vertical clearance to be shown on the plan. The loading areas shall be exclusive of drive aisle and maneuvering space. The required number of loading spaces may be reduced through conditional use approval.
69. Provide details showing that the primary street façade abutting South Park Street meets the door and window opening requirements of Section 28.060(2)(d). For non-residential uses at ground floor level, windows and doors or other openings shall comprise at least 60% of the length and at least 40% of the area of the ground floor of the primary street facade. At least 50% of windows on the primary street facade shall have the lower sill within three (3) feet of grade. For residential uses at ground level, a minimum of 15% of the ground level of residential facades or side and rear facades not fronting a public street shall consist of windows and door openings. On upper stories, window or balcony openings shall occupy a minimum of 15% of the upper-story wall area.
70. Provide details demonstrating compliance with bird-safe glass requirements MGO Section 28.129.
71. Exterior lighting provided shall be in accordance with MGO Section 10.085. Provide an exterior lighting plan and fixture cut sheets with the final plan submittal.
72. 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.
73. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31 Sign Codes and Chapter 33 Urban Design Commission 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)

74. Provide fire apparatus access as required by IFC 503 2018 edition, MGO Section 34.503. The site plans shall clearly identify the location of all fire lanes.

Parks Division (Contact Sarah Lerner, 261-4281)

75. Pursuant to the authority established under Wis. Stat. Sec. § 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.
76. 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 MGO 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.
77. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the Central Park-Infrastructure Impact Fee district. Please reference ID# 20014 when contacting Parks Division staff about this project.

Forestry Division (Contact Wayne Buckley, 266-4892)

This agency did not submit a response with comments or conditions for this request.

Water Utility (Contact Jeff Belshaw, 261-9835)

78. Revise site utility plans to show the proposed utility improvements for Cedar Street (City Project #11866). Incorporate City's plan into your site plan.
79. 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/plumbers-contractors>), 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. 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 266-4646.

Metro Transit (Contact Tim Sobota, 261-4289)

80. As identified on the plans submitted for review, the applicant shall install and maintain a concrete bus boarding pad and shelter surface as shown in the public right-of-way at the planned Metro bus stop zone on the west side of S Park Street, south of Cedar Street.
81. As identified on the plans submitted for review, the applicant shall install and maintain a new passenger waiting shelter with seating amenity - as shown in this public right-of-way area. The applicant shall submit a Privilege in Streets (Bus Shelter) application for review by the City. An approved Encroachment Agreement, for the bus shelter, shall be executed prior to sign off. Contact City Real Estate to start the Privilege in Streets

(Bus Shelter) application process. 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.