

PLANNING DIVISION STAFF REPORT

June 7, 2021



PREPARED FOR THE PLAN COMMISSION

Project Address: 216 S. Hamilton Street (4th Alder District – Ald. Verveer)

Application Type: Demolition Permit

Legistar File ID # [64805](#)

Prepared By: Chris Wells, Planning Division
Report includes comments from other City agencies, as noted.

Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Contact: Christopher Gosch; Populance, LLC.; 230 S Hamilton Street; Madison, WI 53703

Property Owner: Courtside Development, LLC; 216 S. Hamilton Street; Madison, WI 53703

Requested Action: Approval of a demolition permit to demolish a single-family residence and construct a mixed-use building with 195 square feet of commercial space and four live/work units (condominiums) at 216 S. Hamilton Street.

Proposal Summary: The applicant proposes to demolish an existing two-story, converted office building (once a single-family residence) and construct a two-story, roughly 5,670-square-foot, mixed-use building with 195 square feet of ground floor commercial space and four owner-occupied, live/work units (condominiums). The applicant proposes to commence construction in June 2021, with completion anticipated by the spring of 2022.

Applicable Regulations & Standards: This proposal is subject to the standards for Demolitions [M.G.O. §28.185(7)], the UMX (Urban Mixed-Use) District [M.G.O. §28.064], the General Provisions for Downtown and Urban Districts [M.G.O. §28.071], and the [Downtown Urban Design Guidelines \(2012\)](#). The Supplemental Regulations [MGO §28.151] contain further regulations for *live/work units*.

Review Required By: Urban Design Commission and Plan Commission.

Summary Recommendation: The Planning Division recommends that the Plan Commission can find the standards met and **approve** a demolition permit to demolish a single-family residence and construct a building with 195 square feet of commercial space and four live/work units (condominiums) at 216 S. Hamilton Street. This recommendation is subject to input at the public hearing and the conditions from reviewing agencies.

Background Information

Parcel Location: The roughly 5,480-square-foot (0.12-acre) subject site is located on the west side of S Hamilton Street, in between S Fairchild Street and S Henry Street. It is also located in Aldermanic District 4 (Verveer); Tax Increment Finance District #25; and the Madison Metropolitan School District.

Existing Conditions and Land Use: The site is developed with a two-story, roughly 2,130-square-foot office building (including the partial basement) which, according to the City Assessor's data, was constructed in 1894. City records note it was converted from a three-unit apartment building, which itself was converted from a single-family residence. There is on-site parking for approximately six cars. The site is zoned UMX (Urban Mixed-Use) District.

Surrounding Land Uses and Zoning:

- North:** A three-story office building, zoned UMX (Urban Mixed-Use District);
- South:** A mixed-use building with roughly 1,341 square feet of ground floor commercial space and 19 residential condominium units, zoned UMX;
- East:** Across S Hamilton Street is the Dane County Courthouse, zoned PD (Planned Development District); and
- West:** A four- and five-unit apartment building, both zoned UMX.

Adopted Land Use Plan: The [2018 Comprehensive Plan](#) recommends Downtown Core (DC) uses for the subject property. The Plan notes that the Downtown Core (DC) “represents the nucleus of downtown and accommodates a wide variety of employment, service, retail, government, residential, and other uses in large scale buildings that comprise the most intensely developed part of the city.” The [Comprehensive Plan](#) does not provide any recommendations concerning heights, use mixes, ground floor uses, pedestrian friendly design, etc., and instead points to the [Downtown Plan](#) for such recommendations.

The [Downtown Plan \(2012\)](#) identifies the subject site within the Downtown Core District, for which it recommends that uses “should generally possess the highest intensity of development. A mix of office, employment, retail, government, residential, cultural, entertainment, and other uses should be pursued to retain the area’s vibrancy, including beyond normal business hours.” It recommends a maximum building height for the subject site of six stories and a 15-foot building setback above four stories along the S. Hamilton Street frontage.

Zoning Summary: The subject property is zoned UMX (Urban Mixed Use District):

Requirements	Required	Proposed
Lot Area (sq. ft.)	3,000 sq. ft.	5,477 sq. ft.
Lot Width	30’	118.67’
Front Yard Setback	Nonresidential or mixed-use buildings: 0	1’ 1”
Max. Front Yard Setback	10’	1’ 1”
Side Yard Setback	0	5’ 0” north side 19’ 2” south side
Rear Yard Setback	10’	6’ 1” <i>(See Comment #32)</i>
Usable Open Space	10 sq. ft. per bedroom (40 sq. ft.)	434 sq. ft.
Maximum Lot Coverage	90%	Less than 90 <i>(See Comment #36)</i>
Minimum Building Height	2 stories	2 stories
Maximum Building Height: Downtown Height Map	6 stories	2 stories
Stepback: Downtown Stepback Map	15’ setback above 4 stories	None

Site Design	Required	Proposed
Number Parking Stalls	Central Area: No minimum required	4
Accessible Stalls	Yes	None <i>(See Comment #37)</i>
Loading	Not required	None
Number Bike Parking Stalls	Live/work unit: 1 per dwelling (4) General retail; service business; office: 1 per 2,000 sq. ft. floor area (2 minimum) (6 total)	5 <i>(See Comment #38)</i>

Landscaping and Screening	Yes	Yes (See Comments #39 & #41)
Lighting	Yes	None (See Comment #42)
Building Forms	Yes	Live/work building (See Comment #40)

Other Critical Zoning Items	Urban Design Review (UMX Zoning), Utility Easements, Barrier Free (ILHR 69)
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Tables Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

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

Public Utilities and Services: The site is served by a full range of urban services, including Metro Transit service.

Project Description

The applicant proposes to demolish an existing two-story, converted office building and construct a two-story, roughly 5,670-square-foot building with 195 square feet of ground floor commercial space and four owner-occupied, live/work units (condominiums). The applicant proposes to commence construction in June 2021, with completion anticipated by the spring of 2022.

The building will be oriented along S Hamilton Street and sit right along the sidewalk. The small commercial space will be located at the northeast corner of the building and accessed via a walkway runs along the building’s northern façade. As for the entrances to the four live/work units, the Zoning Code requires separate entrances to the associated *live* and *work* components. That said, the various entrances will all be located off two small alcoves located along the S Hamilton Street façade. The *work* components, located on the ground floor, will range in size from roughly 540 to 600 square-feet. The associated *live* components, located on the second floor and each accessed by private stairwells, will all be one-bedroom units and range in size from 700 to 900 square-feet. Each *live* unit will have their own private balcony, located along the western façade.

Regarding the small commercial space, at the May 26, 2021 Urban Design Commission meeting, the applicant stated, *“We have been in discussions with the Savvy Café across the street, they have a full commercial kitchen. They started to cater during the pandemic, and want to do subscription meal services. We would have a series of 8-10 lockers, a customer would be alerted when their meal is ready and they can pick up their food. There’s no preparation here, it’s essentially a pick-up spot for food.”* At the time of report writing, the City’s Zoning Administrator is determining how to classify this use, though based on initial discussions, Planning staff anticipate it will be classified as either a ‘restaurant’ or ‘food and related goods sales’, which are both permitted uses in the UMX District.

The site will share cross-access with both the site to the south and the two sites to the west. This will allow the site to take access from the block’s two existing access points – one located along W Doty Street and the other along S Hamilton Street. The proposed building will have four surface parking stalls – two located along the southern façade and two located just to the west, adjacent the bicycle parking stalls. The two southern stalls will need to be relocated to the west side, behind the building, to comply with M.G.O. §28.071(3)(a)1. which states, for all new buildings in the downtown, *“Parking shall be located in parking structures, underground, or in surface parking lots behind principal buildings.”*

Regarding building materials, while the S Hamilton Street façade will be largely floor-to-ceiling storm front windows with a wooden lattice outlining much of the facade, much of the rest of the building will be clad almost entirely with metal composite lap siding and paneling.

Analysis & Conclusion

The proposed project is subject to the standards for Demolitions [M.G.O. §28.185(7)], the UMX (Urban Mixed-Use) District [M.G.O. §28.064], the General Provisions for Downtown and Urban Districts [M.G.O. §28.071], and the [Downtown Urban Design Guidelines \(2012\)](#). This analysis begins with an analysis of adopted plan recommendations.

Adopted Plan Recommendations

The [2018 Comprehensive Plan](#) recommends Downtown Core (DC) uses for the subject property. The Plan notes that the Downtown Core (DC) *“represents the nucleus of downtown and accommodates a wide variety of employment, service, retail, government, residential, and other uses in large scale buildings that comprise the most intensely developed part of the city.”* The [Comprehensive Plan](#) does not provide any recommendations concerning heights, use mixes, ground floor uses, pedestrian friendly design, etc., and instead points to the [Downtown Plan](#) for such recommendations.

The [Downtown Plan \(2012\)](#) identifies the subject site within the Downtown Core District, for which it recommends that uses *“should generally possess the highest intensity of development. A mix of office, employment, retail, government, residential, cultural, entertainment, and other uses should be pursued to retain the area’s vibrancy, including beyond normal business hours.”* It recommends a maximum building height for the subject site of six stories and a 15-foot building setback above four stories along the S. Hamilton Street frontage.

As such, Staff believe the proposed development is consistent with the recommendations of both adopted plans.

Demolition Approval Standards

In order to approve a demolition request, M.G.O. §28.185(7) requires that the Plan Commission must find that the requested demolition and proposed use are compatible with the purpose of the demolition section of the zoning code and the intent and purpose of the UMX (Urban Mixed-Use) Zoning District. Per §28.076 of the Zoning Code, the UMX zoning district is *“intended to provide opportunities for high-density residential and office uses in combination with limited retail and service uses designed to serve the immediate surroundings.”* The demolition standards also state that the Plan Commission shall consider and may give decisive weight to any relevant facts including impacts on the normal and orderly development of surrounding properties and the reasonableness of efforts to relocate the building. Furthermore, the proposed use following demolition or removal should be compatible with adopted neighborhood plans and the [Comprehensive Plan](#).

Finally, the demolition standards state that the Plan Commission shall consider the report of the City’s Historic Preservation Planner regarding the historic value of the property as well as any report submitted by the Landmarks Commission. The proposed building for demolition has been reviewed twice by the Landmarks Commission. During its initial review on October 14, 2019 meeting, the Landmarks Commission found that the building at 216 S Hamilton Street *“has historic value based on architectural significance, cultural significance, historic significance, and as an intact or rare example of a certain architectural style or method of construction.”* (Materials related to that review from the October 14, 2019 Landmarks Commission meeting can be found here: [Staff Report](#) | [Meeting Report](#).)

However, a revised recommendation has been provided by the Landmarks Commission after that body re-reviewed this item at their February 15, 2021 meeting. The subsequent recommendation was offered upon the applicant resubmitting demolition notice and the owner providing additional information on the existing structure. At this meeting, the Landmarks Commission found that the building at 216 S Hamilton Street “*has historic value related to the vernacular context of Madison’s built environment, but the building itself is not historically, architecturally or culturally significant. The building is representative of 1850s Gabled-Ell structures, which are increasingly rare in Madison.*” (Materials related to that review from the February 15, 2021 meeting Landmarks Commission meeting can be found here: the [Staff Report](#); the [Meeting Report](#); the [2020 report developed by Archetype HPC, LLC](#), who was commissioned by the Madison Trust for Historic Preservation to research and evaluate the historical structure at 216 S Hamilton; and the [January 4, 2020 revision](#) of the analysis and summary of the property submitted by the applicant.

Given the consistency of the proposed building with the adopted plans (as noted above), and the revised finding of the City’s Landmarks Commission, the Planning Division believes that the Plan Commission can find the standards for demolition met with the request to raze the existing, 2-story, office building and construct the two-story, mixed-use building with 195 square-feet of commercial space and four live/work units (condominiums) in its place.

Urban Design Commission Review

Per Section 28.076(b) M.G.O., the Urban Design Commission shall review “*all new buildings and additions in the UMX District that are less than 20,000 square-feet*”, which “*shall be approved based on the design standards in Sec. 28.071(3), if applicable, and the Downtown Urban Design Guidelines.*” At its May 26, 2021, meeting, the Urban Design Commission, as an approving body on this request, granted final approval of this development. The draft of the UDC report from May 26 is included at the end of this staff report.

Supplemental Regulations for Live/Work Units – Live/Work Units are also subject to the Supplemental Regulations of M.G.O. §28.151. The supplemental regulations for this use are the following:

- (a) The work space component shall be located on the first floor or basement of the building, with an entrance facing the primary abutting public street.*
- (b) The dwelling unit component shall be located above, alongside or behind the work space, and maintain a separate entrance located on the front or side facade and accessible from the primary abutting public street.*
- (c) The office or business component of the unit shall not exceed fifty percent (50%) of the total floor area of the unit.*
- (d) The business component of the building may include offices, small service establishments, homecrafts which are typically considered accessory to a dwelling unit, or limited retailing associated with fine arts, crafts, or personal services. The business component shall be limited to those uses otherwise permitted in the district which do not require a separation from residentially zoned or occupied property, or other protected use. It shall not include a wholesale business, a manufacturing business, a commercial food service requiring a license, a limousine business or auto service or repair for any vehicles other than those registered to residents of the property.*
- (e) In the TE District, new residential uses, whether in new or existing buildings shall not be located where potential nuisances exist, including but not limited to: excessive vibration, dust, noise, light, glare, smoke, odor, or truck traffic.*
- (f) In the TE District, new residential uses shall be adequately separated or buffered from adverse impacts from existing industrial uses.*

The Planning Division believes the supplemental regulations listed above are satisfied by the proposal.

Public Input

At the time of report writing, Staff are only aware of a single public comment regarding this proposal being submitted to the UDC by Capital Neighborhoods, Inc and can be viewed [here](#). It notes their support for the proposal and recommends approval.

Conclusion

The applicant is seeking a demolition permit to demolish a two-story office building to construct a two-story, mixed-use building 195 square feet of commercial space and four live/work units (condominiums) at 216 S. Hamilton Street. No known conditional uses are currently requested. Given the revised recommendation by the Landmarks Commission, and the consistency with adopted plans, Staff believe the approval standards for demolition permits can be found met, subject to the conditions recommended by reviewing agencies and input at the public hearing.

Recommendation

Planning Division Recommendation (Contact Chris Wells, (608) 261-9135)

The Planning Division recommends that the Plan Commission can find the standards met and **approve** a demolition permit to demolish a single-family residence and construct a building with 195 square feet of commercial space and four live/work units (condominiums) at 216 S. Hamilton Street. This recommendation is subject to input at the public hearing and the conditions from reviewing agencies in this report.

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

City Engineering Division (Contact Timothy Troester, (608) 267-1995)

1. All roof discharges shall be connected directly to storm sewer available in Hamilton.
2. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
3. Construct sidewalk, terrace, curb & gutter and pavement to a plan and profile as approved by City Engineer
4. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
5. 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. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))

6. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
7. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DPS) is required as the City of Madison Building Inspection Department is an approved agent for DPS.
8. Revise the site plan to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)
9. 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. (POLICY AND MGO 10.29)
10. Revise plan to show the location of all rain gutter down spout discharge locations. (POLICY)
11. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
12. This project will disturb 4,000 sf 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. The permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

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, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit. (POLICY)

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 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.

13. 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.
14. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or troester@cityofmadison.com (West).
15. This site and the adjacent parcels are dependent on each other for overland storm water drainage. A private Drainage Easement/Agreement for all adjacent parcels to this development shall be drafted, executed and recorded prior to building permit issuance.

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

16. The proposed new building crosses an underlying platted lot line. Prepare a Certified Survey Map (CSM) and submit to the Planning Unit to dissolve underlying lot lines to comply with fire codes, City Ordinances and City Policies. The CSM shall be approved by the City, recorded with the Dane County Register of Deeds and new Tax Parcel information available prior to issuance of a building permit.
17. The document on Sheet C0.01-A cited as the recorded Access Driveway Easement is incorrect. Engineering Mapping is aware of two easements that exist as Document No's 999942 and 1560977. They shall be listed and noted accordingly on the existing Overall Site Plan.
18. This site and adjacent parcels are dependent on each other for overland storm water drainage. A private Drainage Easement/Agreement between this site and the adjacent parcels shall be drafted, executed and recorded prior to building permit issuance.
19. The southerly property dimension of 92.88 is incorrect and shall be revised to be 46.5 feet.
20. The address of 216 S Hamilton St will be retired with the demolition of the existing building. Submit a Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan for each floor on a separate sheet for the development of a complete addressing plan. The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) prior to the application submittal of this LNDUSE for the final Site Plan Approval review with Zoning. The approved Addressing Plan shall be included in said 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. Any revised Addressing Plans shall be submitted by the applicant to Zoning to be attached to the final filed approved site plans.

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

21. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
22. 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.
23. 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.

24. All parking facility design shall conform to MGO standards, as set in Section 10.08(6).
25. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
26. The applicant shall provide a clearly defined 5' 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.
27. "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.
28. Secure parking facility. This is usually done with continuous six (6) inch curb, timbers, preformed wheel stops, guardrail erected at a height of eighteen (18) inches or fencing of sufficient strength to act as a vehicle bumper. An area of particular concern is the two parking stalls adjacent S. Hamilton Street.
29. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
30. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.
31. 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 South Hamilton 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, (608) 266-4429)

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| <ol style="list-style-type: none">32. The rear yard setback in the UMX district is a minimum of 10 feet. Increase the rear yard setback to a minimum of 10 feet along the west property line.33. Reduce the use of composite siding and composite panels on the ground floor of the north, south, and west building facades. Wood and fiber cement panels shall not be used on the ground story except between the sidewalk and the bottom of storefront windows or as an accent material.34. Eliminate the parking stalls located to the south side of the proposed building. Parking shall be located in parking structures, underground, or in surface parking lots behind principal buildings. |
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35. 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 at streets@cityofmadison.com. 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.

36. Provide a calculation and plan detail for lot coverage with the final submittal. The lot coverage maximum is 90%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks. Identify the areas of pervious or permeable pavers on the plans and provide details of the pavers.
37. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e). Final plans shall show the required van accessible stall. 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 stall.
38. Bicycle parking for the project shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of six (6) short-term bicycle parking stalls located in a convenient and visible area on a paved or pervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.
39. Submit a rooftop plan showing the location of any proposed rooftop mechanical equipment and screening. All rooftop equipment except for solar and wind equipment shall be screened from view from adjacent streets and public rights-of-way per Sections 28.071(3)(h) and 28.142(9)(d). Screens shall be of durable, permanent materials that are compatible with the primary building materials.
40. Provide details showing that the street-facing façade meets the door and window opening requirements of Section 28.071(3)(e). For street-facing facades with ground story non-residential uses, the ground story door and window openings shall comprise a minimum of fifty percent (50%) of the facade area. Upper story openings shall comprise a minimum of fifteen percent (15%) of the facade area per story.
41. Show the refuse disposal area on the site plan. All developments, except single family and two family developments, shall provide a refuse disposal area. If the refuse disposal area is located outside the building, it shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet. Submit a detail of the trash enclosure if provided outside the building. Note that City issued trash containers are not required to be screened.
42. Exterior lighting provided shall be in accordance with City of Madison General Ordinances Section 10.085. Provide an exterior lighting plan and fixture cut sheets with the final plan submittal.
43. Note that the business component of the live/work units may include offices, small service establishments, homecrafts which are typically considered accessory to a dwelling unit, or limited retailing associated with fine arts, crafts, or personal services. The business component shall be limited to those uses otherwise permitted in the district which do not require a separation from residentially zoned or occupied property, or other protected use. It shall not include a wholesale business, a manufacturing business, a commercial food service requiring a license, a limousine business or auto service or repair for any vehicles other than those registered to residents of the property.
44. 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.

45. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

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

46. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Paul Ripp at pripp@cityofmadison.com or (608)712-6277.

Parks Review (Contact Ann Freiwald, (608) 243-2848)

47. 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# 18161 when contacting Parks about this project.
48. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
49. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2018/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

City Forestry Section (Contact Brad Hofmann, (608) 267-4908)

50. Damaging Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at 266-4816. Penalties and remediation shall be required. Add as a note on the plan set.

51. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry (266-4816) prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the plan set.
52. On this project, street tree protection zone fencing is required if any construction or storage of materials will be within the terrace area. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on the plan set.
53. Pruning Street tree pruning shall be coordinated with Madison Forestry at a minimum of two weeks prior to the start of construction for this project. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on the plan set.
54. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on the plan set.
55. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the plan set.
56. An existing inventory of street trees located within the right of way shall be included on the landscape, site, demo, and utility plans. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is to be preserved or proposed to be removed and the reason for removal.

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

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| <p>57. A private well may have served this parcel prior to the municipal water service connection. Any remaining unused/unpermitted private wells existing on this parcel must be properly abandoned according to Wisconsin Administrative Code NR 812 and Madison General Ordinance 13.21 prior to the demolition of the property. Please contact water utility staff at (608) 266-4654 to schedule an on-site private well survey prior to demolition, otherwise for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs.</p> |
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58. The proposed development may require the installation of a fire protection/automatic sprinkler system (see also Madison Fire Department review comments); subsequently, a higher capacity water service lateral may be required to meet required flow rates. If a new water service will be required, contact Madison Water Utility Engineering Section to evaluate service connection options, confirmation of water meter size, or any applicable customer account revisions.

59. 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/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

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

The agency reviewed this request and has recommended no conditions of approval.

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION

PRESENTED: May 26, 2021

TITLE: 216 S. Hamilton Street - New
Development in UMX Zoning. 4th Ald.
Dist. (64509)

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Janine Glaeser, Secretary

ADOPTED:

POF:

DATED: May 26, 2021

ID NUMBER:

Members present were: Cliff Goodhart, Chair; Tom DeChant, Lois Braun-Oddo, Rafeeq Asad, Shane Bernau, Craig Weisensel, Russell Knudson, Christian Harper, Christian Albouras and Jessica Klehr.

SUMMARY:

At its meeting of May 26, 2021, the Urban Design Commission **GRANTED INITIAL/FINAL APPROVAL** of new development in UMX zoning located at 216 S. Hamilton Street. Registered and speaking in support was Christopher Gosch, representing Populance, LLC. Registered in support and available to answer questions was Jason Iverson. Registered in support but not wishing to speak was Jonathan Cooper, representing the Bassett District of Capitol Neighborhoods.

The project proposes four-unit live-work building, owner-occupied with a small subscription restaurant space of 200 square feet. Updates include address of material terminations, roof access (people have expressed more interest in solar for car charging than usable outdoor space), and updates to the bamboo species to something more hardy. This will go to the Plan Commission for demolition of the existing building, but is otherwise compliant with UMX zoning. They extended the entry towards the Capitol to better define it, and the wood bands terminate about 2” above the concrete. The roof accent bands now come down into the entry of the proposed restaurant space. The alley has a small modification for more landscaping with a 3-foot setback to define the two live-work units there while making a natural point to split up the materials. Building materials include insulated metal panels, storefront glass for the window systems, an accent band in vibrant Lucabond, and all concealed fasteners for a simple clean palette.

The Commission discussed the following:

- I like the project very much. Is there an opportunity to find a home for bike parking that’s visible from the street, in particular along that south edge? Anyone coming for commercial purposes could find a home without navigating to the back parking area.
 - That’s a great point, that’s certainly something we could look at, there is also opportunity near the commercial spot.
- You changed the bamboo species but I’m still confused about what’s going along the Hamilton Street side of the building between the entries there. The total numbers don’t add up to the points.

Calamagrostis is a very narrow grass but it needs some space, the bamboo will be constrained, it spreads out. It might be more suitable to have seasonal beds for annuals.

- We were going to build a curb along the alleyway for a planter, this was our design intent. We're trying to find a way to buffer between the sidewalk and the building. As a personal preference we like the bamboo, understanding it takes some maintenance. The two orange entries are concrete entries, the green strip from the northern point to the first entry varies from about 2'2" to about 1'10", that's where we would propose to plant along the length of those areas between the entries.
- I think you're going to struggle to have those plants behave the way you want them to. It will be an interesting architectural effect. Every time I go up that street it seems like it's always in shadow. Future solar panels on the roof, that's a shady part of the City. It's a striking looking building and I really like it.
- Explain the commercial space on the corner.
 - We have been in discussions with the Savvy Café across the street, they have a full commercial kitchen. They started to cater during the pandemic, and want to do subscription meal services. We would have a series of 8-10 lockers, a customer would be alerted when their meal is ready and they can pick up their food. There's no preparation here, it's essentially a pick-up spot for food.
- What's the strategy for cleaning glass behind the wood slats along Hamilton Street?
 - The people we've hired to do the Barracuda have been incredibly creative in how they clean that glass.

ACTION:

On a motion by Braun-Oddo, seconded by Weisensel, the Urban Design Commission **GRANTED INITIAL/FINAL APPROVAL**. The motion was passed on a unanimous vote of (9-0). The motion noted the desire to have bike parking at the front of the building.