



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 707-709 Rethke Avenue  
**Application Type:** Demolition and Conditional Use  
**Legistar File ID #:** [35639](#)  
**Prepared By:** Heather Stouder, AICP, Planning Division  
Report Includes Comments from other City Agencies, as noted

## Summary

**Applicant/Owner:** Michael Goldberg; Heartland Housing, Inc.; 208 S. LaSalle St., Suite 1300, Chicago, IL 60604

**Project Contact:** Anne Bowman; Heartland Housing, Inc.; 208 S. LaSalle St., Suite 1300, Chicago, IL 60604

**Requested Action:** Approval of demolition of a single-family home and a conditional use for construction of a mixed use building with over 24 dwelling units (the proposal has 60 dwelling units), a non-residential use comprising less than 75% of the first floor, the non-residential use comprising less than 75% of the street frontage, and animal husbandry (keeping of chickens and bees).

**Proposal Summary:** The applicant proposes to demolish a single-family home constructed in 1948, for the construction of a four-story mixed-use building with 60 efficiency apartment units to serve formerly homeless individuals and 1,950 square feet of non-residential space including a community room, commercial kitchen, and office spaces for employees serving the residential tenants. The site would include a chicken coop, three beehives, and areas for vegetable gardening.

**Applicable Regulations & Standards:** This proposal is subject to the standards for demolitions (MGO Section 28.185) and conditional uses (MGO Section 28.183).

**Review Required By:** Plan Commission (PC)

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the demolition and conditional use standards can be met and **approve** the requests at 707-709 Rethke Avenue. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

## Background Information

**Parcel Location:** The property is on the east side of Rethke Avenue between East Washington Avenue and Commercial Avenue; Aldermanic District 15 (Ahrens); Madison Metropolitan School District.

**Existing Conditions and Land Use:** The site consists of two parcels which would be joined through a Certified Survey Map in a separate, related application. 707 Rethke Avenue is 9,185 square feet, and has a single family home constructed in 1948 and a large detached garage behind it. 709 Rethke Avenue is a 20,508 square foot vacant parcel.

**Surrounding Land Use and Zoning:**

North: Chiropractic Clinic in the CC-T District.

East: Single, two, and four unit residential buildings in the Traditional Residential – Varied 1 (TR-V1) District. One of the single-family homes includes an in-home daycare facility. These properties are approximately 10 feet lower than the subject property.

South: Small one-story commercial building and truck storage in the Traditional Employment (TE) District.

West: Aloha Inn Motel, in the CC-T District.

**Adopted Land Use Plan:** The Comprehensive Plan (2006) recommends Community Mixed Use for this side of Rethke Avenue.

**Zoning Summary:** The property is in the Commercial Corridor - Transitional (CC-T) District

Requirements	Required	Proposed
Front Yard Setback	0	4'-6"
Side Yard Setback	0	14.96 LS, 60'± LS
Rear Yard Setback	20'	58'
Usable Open Space	160 sq. ft. per 1 bedroom unit (60) = 9,600 sq. ft.	9,671
Maximum Lot Coverage	85%	Less than 85%, TBD
Maximum Building Height	5 stories/ 68'	4 stories / 43'-6"±

Site Design	Required	Proposed
Number Parking Stalls	No minimum	13
Accessible Stalls	Yes	2
Loading	No	No
Number Bike Parking Stalls	Residential: 60 spaces plus 6 visitor  Non-residential, TBD	16 short-term, 60 long term
Landscaping	Yes	Yes
Lighting	Yes	Yes
Building Forms	Flex building	Meets building forms
<b>Other Critical Zoning Items:</b> Barrier Free (ILHR 69)		

Table Prepared by Patrick Anderson, Assistant Zoning Administrator

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

**Public Utilities and Services:** This property is served by a full range of urban services, including Metro Transit Routes 6 and 25 along East Washington Avenue, Route 34 along Fair Oaks, and Route 17 along Commercial Avenue.

**Related Reviews and Approvals**

On September 17, the Urban Design Commission received an informational presentation on the proposal (see attached report). Due to the few comments generated at that meeting, and responses from the applicant to the UDC comments regarding the articulation of the north facade, the UDC will not be formally reviewing the proposal.

A related Certified Survey Map to join the two parcels is being administratively reviewed in advance of Common Council action on November 18, 2014.

## Project Description

The applicant proposes to demolish a single-family home and a large detached garage at 707 Rethke Avenue, in order to make way for the construction of a four-story mixed-use building with 60 efficiency apartment units, a 820 square foot community room, a 446 square foot commercial kitchen, and 684 square feet of office space for employees providing on-site tenant services and other service providers.

**Land Use** – The proposed four-story building includes 60 small efficiency apartment units, 54 of which are to be specifically targeted to formerly homeless individuals, and six of which are to be targeted to individuals with less than 30% of the area median income. Dwelling units will be income-restricted for 30 years due to the WHEDA tax credits awarded for this proposal. The applicant has indicated that occupancy is to be strictly limited to one person per dwelling unit. A small laundry room and a fitness room are provided on the first floor of the building to serve all residents, and each resident would have access to a small storage locker in the basement, where bicycle parking is also located.

On the first floor of the building are three small office spaces for employees and other service providers who will be on-site to provide support as needed to residents. A subset of these spaces may be utilized by service providers to serve clients not living within the building, but are for the most part considered to be accessory to the residential use. A 820 square foot community room on the first floor of the building will be made available for neighborhood groups meetings and events, and a 446 square foot commercial “teaching kitchen” will be used for programming for residents and will also be made available for use by outside organizations or entrepreneurs. Zoning staff has noted that instead of functioning as accessory uses to the residential units, the kitchen, community room and/or office spaces must be leased and managed by an entity separate from the residential property manager, in order for the building to be considered a mixed-use building.

Much of the site is proposed for agricultural use by residents, with various edible landscaping areas at-grade, a chicken coop in the northeast corner of the property, three beehives in the southeast corner, and structured garden beds on the first floor rooftop of the building.

**Building Massing and Placement** – As proposed, the four story building is 43 feet 6 inches tall, and placed near the northwest corner of the property. The building allows for a 15-foot side setback on the north side, a 4 ½ - foot front setback from Rethke Avenue, a 39-foot rear yard setback from the residential properties to the east, and an over 60-foot setback on the south side.

Residential units are located within the L-shaped 4-story component, and a central one-story component includes the commercial kitchen, community room, and office spaces.

**Access and Parking** – Vehicle access to the site is provided from Rethke Avenue to a 13-stall surface parking lot on the southern part of the property. The applicant has suggested that ten additional cars can be parked using both sides of the street in front of the building, following improvements to this area. Finally, staff is aware that the applicant is exploring possible shared parking arrangement with the Aloha Inn across the street to the west, in order to have a few dedicated off-site stalls for employees, should on-site stalls need to be made available for use by residents.

60 bicycle parking stalls are proposed in the small basement, taking access from either the elevator or stairwell from an entrance on the back of the building. Eight additional bicycle stalls are proposed outside – two near the front entrance of the building for visitors, and six behind the building, perhaps for use by employees.

**Building Exterior** – As proposed, the building is primarily clad in fiber cement lap siding in three shades of grey. A yellow flat fiber cement panel is proposed as an accent material next to the windows on the building. The one-story component of the building is clad in metal paneling. There are no wall penetrations due to HVAC units on the building exterior, and the condensers are instead placed on the rooftop within a screened area.

**Landscaping** – The landscape plan will include a mix of edible and non-edible perennials, to be completed in two phases. Phase One includes a row of serviceberry and aspen trees along the northern property line, and a burr oak, aspen, and plum tree in front of the building. A mix of perennial berry shrubs and prairie plantings are included along the foundation and in front of the building. 11 raised beds for vegetables are proposed on the roof of the first floor, each 8 by 4 feet, and 2 feet high. The rest of the pervious area on the site would be planted with native turf in Phase One.

For screening purposes, a six-foot wooden privacy fence is proposed along the rear property line, and will also be used to surround the beehives. A three-foot fence and gate will surround the chicken coop area. Finally, a failing seven-foot tall retaining wall along the rear property line will be removed and completely rebuilt by the applicant, entirely on the subject property.

Phase Two of the landscape plan includes significant changes to the east side (rear) of the property, with seven additional trees, a pergola with seating, a rain garden, at-grade vegetable gardens, and a patio with permeable pavers and structured planting beds with seating. The applicant has not indicated when Phase Two would move forward.

**Operations and Management**- The applicant has been working closely with the City of Madison Community Development Authority on a tenant selection and service provision plan for the residents in the proposed building. At this time, staff understands that a maximum of five employees will be present on the site at any one time. The building will be staffed during the day, but not overnight. Documents outlining these elements will be provided by the applicant to the Plan Commission. CDA staff will be available at the Plan Commission meeting to help address questions if needed.

Also, at the request of Planning staff, the applicant submitted a transportation plan for the property, noting that shuttle weekly or twice-weekly shuttle service to local grocery stores and large retail stores will be provided to tenants, as well as shuttle service as-needed to job sites difficult to reach by bus. Grocery store delivery is available from several stores with small fees for shopping. The applicant is considering the purchase of bicycles to be shared between residents, and the provision of supportive services to make bicycling and bicycle-ownership easier for residents.

Trash and recycling will be collected for pick-up in a first floor interior trash room, with trash and recycling chutes available on all upper levels of the building for convenience. Finally, the proposal includes a chicken coop and three beehives, which qualify as “animal husbandry” for a building with this many dwelling units in the CC-T District. Management details have not yet been provided, but staff understands that the applicant would like to be able to have up to eight (8) chickens on the site.

## **Project Analysis and Conclusion**

**Land Use and Plan Consistency** – The Comprehensive Plan (2006) recommends Community Mixed-Use for this property and others along the east side of Rethke Avenue. Uses within this area generally include commercial buildings, medium-density residential housing types (generally not exceeding 60 dwelling units per acre), mixed-use buildings, and non-commercial residential support uses. Buildings in these areas should be at least two stories in height, be placed close to the sidewalk and street, and have parking located behind or under buildings.

The density proposed for the subject site is 88 units per acre, but the units are very small, designed to accommodate only one individual per unit. The 60 residents anticipated for this site would otherwise easily be accommodated in a proposal with few overall units, and thus a density well under the 60 units per acre recommended for Community Mixed-Use areas in the Comprehensive Plan. The Carpenter-Hawthorne-Ridgeway-Sycamore-Truax Neighborhood Plan (2001) does not have a specific recommendation for this site, but does mention that housing, mixed-use, and commercial redevelopment would be appropriate along this part of

East Washington and Rethke Avenues. So long as the site design and services can adequately serve the residents, staff believes that the proposal is generally consistent with adopted plans.

The site is within less than a half mile from Carpenter-Ridgeway Park, and less than one mile to Madison College, health clinics, and the Hawthorne Library. With transit routes running along East Washington Avenue and Fair Oaks Avenue, residents can easily access Downtown Madison and other nearby centers of activity as well as the East and North transfer points.

**Access and Parking** – The applicant has worked to refine the parking plan for the site over the past few months, following a parking analysis done by a consultant in July, 2014 (included, for review) and feedback from staff, neighbors, and Alder Ahrens. As compared with other similar buildings operated by the applicant in Milwaukee and Chicago, the 13 on-site parking stalls would likely be adequate to serve the residents, employees, and visitors, but this assumes that automobile ownership for the residents will be similar to that for residents in the other cities. The on-site parking could be adequate, but only if hardly any residents have cars. The applicant has demonstrated that 10 on-street stalls in front of the building could also be used, although Traffic Engineering staff has indicated that they will not likely fit on this relatively narrow right-of-way, and in any case, they cannot be reserved or counted on to serve this particular development.

Since the number of residents with automobiles is unknown and on-street parking is very limited in this area, staff has recommended that the applicant work to secure off-site shared parking to make available to their employees and other service providers visiting the site. This way, the on-site stalls can remain for use by residents and visitors utilizing the commercial spaces in the building, at least until it is determined that on-site parking is adequate for the proposed uses, and that parking generated by the building will not spill into surrounding neighborhoods. As mentioned previously, staff understands that the applicant is currently pursuing a shared parking option with the Aloha Inn across Rethke Avenue for this purpose.

**Operation and Management** – The applicant has a very strong reputation for management of properties similar to the proposed building in other nearby cities, and will be submitting a final tenant selection and services plan to City of Madison CDA staff for review in the near future. With indoor amenities, active usable open spaces, on-site staffing, and supportive services including occasional transportation services, staff is confident that residents of the building will have ample opportunities to meet their needs. If, at some point in the future, property management changes, or issues impacting residents or surrounding properties arise, the Plan Commission may address these issues as their continuing jurisdiction for conditional uses.

With regard to the more technical aspects of the site, it appears that trash management is well thought-out for the building, and that snow management will not present significant challenges, due to the open space on the site. With regard to agricultural uses on the site, the placement and screening of the beehives and chicken coop are acceptable. While relatively small, the vegetable gardens on the first floor roof in Phase One of the landscape plan, and at-grade behind the building in Phase Two will provide important opportunities for residents to grow food, while not impacting surrounding properties with noise related to agricultural equipment, etc. Staff would like to see a maintenance plan for the garden areas included in the final landscape plan for the site.

**Design Details** – Staff believes that the building architecture will complement the surrounding area as it continues to be redeveloped over time. At the UDC's request, the applicant incorporated more articulation of the northern facade, which will be the most visible side of the building from East Washington Avenue. The placement of the building maximizes solar access for gardens, fruit trees, and other edible plantings dominating the site. Finally, the four-story building, which will be taller than existing buildings in the area, is well-screened from adjacent properties, which will afford more privacy for both residents of the proposed building and their neighbors.

Earlier versions of the plans included cisterns for on-site rainwater collection and solar panels on the roof. Revised plans have eliminated these items due to their cost, but should they be included at some point in the future, staff recommends that this be done through a minor alteration process.

**Demolition Standards-** Staff believes that the proposal can meet the demolition standards as summarized below: The proposal involves the demolition of a single-family home constructed in 1948, for which the Land Use Commission has found no historic value. The building proposed for the site is generally consistent with adopted plans, as detailed in the above section of the report. The 1,388 square foot two-bedroom home on the site appears to be in fair condition. While its relocation to a more appropriate residential site would be supported if pursued by the applicant, it would be difficult logistically due to the need to utilize East Washington Avenue for almost any relocation scenario. Staff does not believe that it is necessary to relocate the home in order to meet the demolition standards.

**Conditional Use Standards -**Staff believes that the proposal can meet the conditional use standards as summarized below:

1. *The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.*  
Staff believes that this standard can be met.
2. *The City is able to provide municipal services to the property where the conditional use is proposed, given due consideration of the cost of providing these services.*  
Staff believes that this standard can be met.
3. *The uses, values, and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner.*  
Staff believes that this standard can be met. Through building placement, landscaping, and screening, this four-story mixed-use building will be effectively separated from the lower-density residential uses to the east. With a mix of on-site and off-site parking, as well as strategies to minimize residents' reliance on automobiles, on-street parking in the broader area, off of Rethke Avenue attributed to the proposed building should be minimal or non-existent.
4. *The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*  
Staff believes that this standard is met for this area, where staff anticipates redevelopment over time with other uses.
5. *Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit, and other necessary site improvements have been or are being provided.*  
Staff believes that this standard can be met, so long as all conditions of approval are addressed.
6. *Measures, which may include transportation demand management (TDM) and participation in a transportation management association have been or will be taken to provide adequate ingress and egress, including all off-site improvements, so designed as to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets.*  
Staff believes that this standard can be met, so long as all conditions of approval are addressed.
7. *The conditional use conforms to all applicable regulations of the district in which it is located.*  
Staff believes that this standard can be met.
9. *When applying this above standards to any new construction of a building or an addition to an existing building the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for*

*the zoning district. In order to find that this standard is met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission for comment and recommendation.*

*Statement of Purpose for Commercial Corridor-Transitional (CC-T) District*

*The CC-T District is established to recognize the many commercial corridors within the City that remain largely auto-oriented, and to encourage their transformation into mixed-use corridors that are equally conducive to pedestrian, bicycle, transit and motor vehicle activity. The district is also intended to:*

- (a) Improve the quality of landscaping, site design and urban design along these corridors.*
- (b) Maintain the viability of existing residential uses located along predominantly commercial corridors.*
- (c) Encourage appropriate transitions between higher-intensity uses along commercial corridors and adjacent lower-density residential districts.*
- (d) Facilitate preservation, development or redevelopment consistent with the adopted goals, objectives, policies, and recommendations of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans.*
- (e) Structured parking is encouraged.*

Staff believes that this standard is met, noting that when the applicant presented materials as an informational presentation to the Urban Design Commission, UDC feedback related to the articulation of the north side of the building was reflected in final plans.

[Standards 8 and 10-15 do not apply to this request]

**Public Input** – Since January of this year, the applicant has attended five neighborhood meetings held by Alder David Ahrens to present project details as they were evolving, and to respond to questions from interested neighbors. At this time, staff has not received formal comments from neighbors regarding the project, but will forward any comments to the Plan Commission if and when they are received.

**Conclusion** – On balance, staff believes that this mixed-use building will be a strong addition to this underutilized area between Hwy 30 and East Washington Avenue, serving a critical need for permanent supportive housing in our community. Residents will have opportunities on-site to pursue urban agriculture and food preparation, seek supportive services if and when they are needed, and access many destinations in the City via Metro Transit and specialized shuttle and other ride programs. So long as all conditions of approval related to alternative transportation modes, including the pedestrian crossing at Rethke Avenue and East Washington Avenue are met, staff believes that the proposal can meet the conditional use standards.

## Recommendation

### **Planning Division Recommendation** (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the demolition and conditional use standards can be met and **approve** the requests at 707-709 Rethke Avenue. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

### **Recommended Conditions of Approval**

Major/Non-Standard Conditions are Shaded

### **Planning Division** (Contact Heather Stouder, 266-5974)

1. The applicant is strongly encouraged to secure a formal shared parking agreement with a nearby property owner for a portion of the necessary parking for employees, so that on-site parking is available for residents and visitors. Any documentation of such an arrangement shall be provided to staff along with final plans submitted for review and approval. Should automobile parking on and around this site become problematic in the future, the property owner may be required to secure additional off-site shared parking.
2. As a condition of approval, the applicant shall commit to the provision of shuttle services to grocery stores and other major retailers for residents, as indicated in the *“Transportation Plan for 707-709 Rethke Avenue”*, submitted in October 2014.
3. Final plans submitted for staff review shall include additional information on the proposed landscaping as follows:
  - a) A date of completion and detailed table with species and planting sizes for Phase Two of the Landscape Plan
  - b) A maintenance plan for the proposed rain garden and vegetable garden areas, to ensure that these areas will be well-maintained by residents and the property manager
4. Final plans submitted for staff review shall include elevations with a detailed schedule of materials to include specifications and colors.
5. At this time, the number of chickens allowable on the site is eight (8), and the number of beehives allowable on the site is three (3). The property owner may request expansion in the future as an alteration to the conditional use.
6. Final plans shall include a convenient path for bicyclists to access the bicycle-parking area, including notes to ensure that elevator will be designed to accommodate bicycles and/or a narrow ramp leading down the stairway to the basement.
7. Any future application of solar panels on the rooftop or cisterns for on-site rainwater collection may be handled as a minor alteration to this conditional use.

### **City Engineering Division** (Contact Janet Schmidt, 261-9688)

8. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor’s Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.



9. Add "Property Line" to the Project Limits designation under the legend on the plans. Also provide the dimensions on the property lines of the site.
  10. The address of the proposed building is 715 Rethke Avenue.
  11. Revise grading plan such that no runoff flows across the south or east property lines.
  12. The proposed development plans to re-use an existing sanitary lateral. Said lateral is 63 years old. City Engineer recommends installing a new lateral to serve the building.
  13. The Applicant shall install curb and gutter, 4ft of pavement, as necessary, and sidewalk adjacent to the property. This will require a developer's agreement.
  14. The driveway configuration shall be modified to show a class III drive, or a driveway configuration as permitted through the City Traffic Engineering Division. Remove the ramps and pavement marking across the drive. The Applicant shall install 7" thick main line concrete sidewalk through the drive.
15. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project (MGO 16.23(9)c).
  16. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
  17. 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.
  18. Submit a PDF of all floor plans to [izenchenko@cityofmadison.com](mailto:izenchenko@cityofmadison.com) so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
  19. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
  20. The approval of this Conditional Use or PUD does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester (MGO 16.23(9)(d)(6)).
  21. The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development (POLICY).
  22. All work in the public right-of-way shall be performed by a City licensed contractor (MGO 16.23(9)(c)5) and MGO 23.01).

23. All damage to the pavement on Rethke Avenue adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY).
24. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in the ROCK RIVER TMDL ZONE and by Resolution 14-00043 passed by the City of Madison Common Council on 1/21/2014. You will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR.
25. The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used (POLICY and MGO 10.29).
26. The applicant shall demonstrate compliance with MGO Section 37.07 and 37.08 regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
27. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required (NOTIFICATION).
28. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to:
  - a) Detain the 2 & 10-year storm events.
  - b) Control 80% TSS (5 micron particle) off of new paved surfaces.
  - c) Provide infiltration in accordance with MGO Chapter 37.
  - d) Provide oil & grease control from the first 1/2" of runoff from parking areas.
  - e) Complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website – as required by MGO Chapter 37.

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

29. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set (POLICY and MGO 37.09(2)).

PDF submittals shall contain the following information:

- a) Building footprints
  - b) Internal walkway areas
  - c) Internal site parking areas
  - d) Lot lines and right-of-way lines
  - e) Street names
  - f) Stormwater Management Facilities
  - g) Detail drawings associated with Stormwater Mgmt Facilities (including if applicable planting plans)
30. The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Mgmt Files including:
    - a) SLAMM DAT files
    - b) RECARGA files
    - c) TR-55/HYDROCAD/Etc

d) Sediment loading calculations

If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided (POLICY and MGO 37.09(2)).

31. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction (MGO 37.05(7)). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
32. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm> (MGO CH 35.02(14)).
33. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Schmidt (608-261-9688) 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)).
34. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service (POLICY).

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

35. Improvements within the Right of Way including the on-street parking spaces are not approvable through the site plan review process. The on-street parking spaces shown on the site plan shall be removed prior to final sign-off.
36. Modify site entrance to conform with City of Madison standards for a Commercial Driveway.
37. Applicant has provided 13 on-site parking spaces. This may result in parking problems in the surrounding area.
38. All sidewalks adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang and still maintain a 5 foot wide area for pedestrians.
39. All sidewalks shall have a 5 foot wide clear path that is not obstructed by items including but not limited to doors, planters and vehicle overhang.
40. Applicant shall provide a deposit in the amount of \$30,000 to provide pedestrian activated flashers at the intersection of Rethke Avenue and East Washington Avenue.
41. The pedestrian activated flashers as mentioned above are the highest possible treatment that is feasible at this intersection. Applicant shall understand that residents of the facility will need to cross East Washington Avenue to access transit services without the aid of a traffic signal at this location.
42. The site plan provides 13 off street parking spaces to serve sixty residential units, and no off-street parking for users of the non-residential space. This is far fewer than a 1:1 ratio of parking spaces to residential units. The letter of intent also notes that spaces on street are available for users of this development. The Parking Utility wishes to note that on-street spaces are public spaces and are not reserved for any private or individual's use, and there is a potential for residents and users of the facility to park their vehicles on adjacent streets. A condition of approval shall be that no residential parking permits shall be issued for 707-709 Rethke Ave. The applicant shall inform all tenants of this facility requirement in their apartment leases. In addition, the applicant shall submit for 707-709 Rethke Ave. a copy of the lease noting the above condition.

43. 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.
44. 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.
45. 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.
46. All parking facility design shall conform to MGO standards, as set in section 10.08(6). As a part of MGO 10.08 all Medium and Large Vehicles shall have a minimum backup of 24 feet.

**Parks Division** (Contact Kay Rutledge, 266-4714)

47. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development. The developer must select a method for payment of park fees before signoff on the conditional use. This development is within the Reindahl park impact fee district (S122). Please reference ID# 14148 when contacting Parks about this project.
48. Additional street trees are needed for this project. All street tree planting locations and trees species with the right of way shall be reviewed by City Forestry. Please submit a site plan (in PDF format) to Dean Kahl – [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816. Approval and permitting of tree planting shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan. Tree planting specifications can be found in Section 209 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part2.pdf>.
49. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.

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

50. Provide fire apparatus access as required by IFC 503, 2012 edition, MGO 34.503, as follows:
  - a) The site plans shall clearly identify the location of all fire lanes.
51. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.
52. Please consider allowing Madison Fire Department to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Lt. Scott Bavery, (608) 576-0600.

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

53. The nonresidential space that qualifies this building as a mixed-use building shall not be used as an accessory use to the residential component of the project. This space shall be a separate use, leased and occupied by a separate tenant, to be established at the time of issuance of the Certificate of Occupancy for the space. The space shall comply with all applicable building codes as a separate occupancy space.
54. Provide a reuse/recycling plan, to be reviewed and approved by The City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permit being issued.
55. Sec. 28.12(12)(e) of the Madison Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
56. Sec. 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
57. 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 prior to sign installations.
58. Pursuant to Sec. 28.142(3) Landscape Plan and Design Standards: Landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect. The submitted plan includes a phasing plan. Details regarding the phasing must be established prior to the issuance of a building permit, with a final compliance date established by the Zoning Administrator.
59. Screening shall be provided along District boundaries lines subject to Section 28.142 (8). Provide a detail of the proposed screening on the East side of property, to screen the TR-V1 residential properties.
60. Bike parking: provide a detail of the bicycle rack and locker design.
61. Provide calculations on required window openings per sec. 28.060(2)(d) with final plans.
62. Accessory beekeeping activities shall comply with supplemental regulations for this use.
63. Provide a detail plan page with final plans showing the qualifying useable open space areas.
64. Provide a detail showing compliance with rear yard height transition to a residential district, per Sec. 28.067(3)(c).