



## Report to the Plan Commission

June 1, 2009

**Legistar I.D. #13963**

**1900-1916 East Washington Avenue**

**Demolition and (PUD) Zoning Map Amendment**

**Report Prepared By:**

**Kevin Firchow, AICP**

**Planning Division**

**Requested Action:** Approval to demolish four (4) buildings and rezone the property from R5 (General Residence District) and C2 (General Commercial District) to PUD-GDP-SIP (Planned Unit Development- General Development Plan – Specific Implementation Plan) to allow construction of a mixed-use building with 28 apartments and approximately 9,500 square feet of retail.

**Applicable Regulations & Standards:** This project is subject to the standards for demolitions, zoning map amendments, and planned unit developments. Section 28.12 (12) of the Zoning Ordinance provides the guidelines and regulations for the approval of demolition permits. Section 28.12 (9) provides the process for zoning map amendments. Section 28.07 (6) provides the requirements and framework for Planned Unit Developments.

**Summary Recommendation:** If the Plan Commission can find the proposed project is in conformance with the standards for approval for demolition permits, zoning map amendments, and planned unit developments, the Planning Division recommends the Plan Commission forward Zoning Map Amendment 3425, rezoning 1900-1916 East Washington Avenue from C2 (General Commercial District) and R5 (General Residence District) to PUD-GDP-SIP (Planned Unit Development-General Development Plan-Specific Implementation Plan) to the Common Council with a recommendation of **approval**. In after considering the submitted materials, staff comments, and public hearing testimony, the Plan Commission believes that additional design guidance from the Urban Design Commission is necessary, this item could be referred to a future Plan Commission meeting pending a final recommendation from the UDC. These recommendations are subject to input at the public hearing, below conditions recommended by the planning division, and the conditions recommended by other reviewing agencies.

### Background Information

**Applicant:** Koua Vang; 2919 Vang Road; Sun Prairie; Sun Prairie, WI 53590

**Agent / Contact:** John Sutton, Sutton Architecture; 104 King Street; Madison, WI 53703

**Property Owner:** Same as the applicant.

**Proposal:** The applicant proposes to demolish four (4) buildings and rezone the property to PUD-GDP-SIP to allow construction of a mixed-use building with 28 apartments and approximately 9,500 square feet of commercial space. **Please note, these numbers are slightly revised from the applicant's original submittal** that called for 26 units and approximately 11,700 square feet of commercial space. The applicant indicates the project would commence in June 2009 with completion scheduled for June 2010.

**Parcel Location:** The subject properties are located at the northeast corner of East Washington Avenue and First Street. The site has a total area of 27,225 square feet (0.63 acres). The site is located in Aldermanic District 12; Urban Design District 1; Madison Metropolitan School District.

**Existing Conditions:** The site includes four (4) parcels with a building sited on each. A one-story commercial building and surface parking lot is located at the corner of East Washington. East of this building are two three-flat residences. The western-most parcel includes a single family home. Each of these structures is proposed for demolition. Additional information on the condition of these buildings is included in the applicant's materials and summarized in this report.

**Surrounding Land Use and Zoning:** The surrounding area includes a mix of uses. Residential structures zoned R5 (General Residence District) are located along East Washington Avenue, both adjacent to and across from the subject site. The subject block includes a mixture of single-family, two/three flat buildings, and one 40-unit apartment building. The residential properties directly behind the subject site (fronting onto East Mifflin Street) are primarily single-family homes zoned R4 (General Residence District). The Fiore Shopping Center is located across First Street and zoned C2 (General Commercial District).

**Adopted Land Use Plan:** The Comprehensive Plan recommends low-density residential uses for this site. The Emerson East-Eken Neighborhood Plan does not provide detailed land use recommendation, but recommends the existing residential character of the block be maintained. Further discussion is included in the Analysis section of this report.

**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.

**Zoning Summary:** This project is being rezoned to the **(PUD)** district. There are no predetermined bulk requirements, and as such, zoning staff have reviewed this proposal based on the criteria for the C2 district because of the surrounding land uses.

Requirements	Required	Proposed
Lot Area	31,000	27,225
Lot width	50'	adequate
Usable open space	6,240 sq. ft	3,842 sq. ft
Front yard	0'	0'
Side yards	6' min., 15' total	1' & 11'
Rear yard	30'	42' approximately
Floor area ratio	3.0	
Building height	3 stories	3 stories
Number parking stalls	20 residential 17 commercial 37 total	57
Accessible stalls	3	2 (3)

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Requirements	Required	Proposed
Loading	2 (10' x 35')	(44)
Number bike parking stalls	28 residential <u>2 commercial</u> 30 total	31 (46)
Landscaping	As shown	Adequate
Lighting	Yes	None shown
<i>Table Prepared by Pat Anderson, Assistant Zoning Administrator</i>		

(Recommended conditions that correspond to requirements are noted in parentheses)

## **Project Review**

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The applicant proposes to demolish one (1) commercial building and three (3) residential structures for the purpose of building a three-story mixed use building with 28 apartment units, 9,500 square feet of retail, and underground parking. This proposal requires approval of four (4) demolition permits and a zoning map amendment, as described below.

### Demolition Request

There are four (4) structures proposed for demolition. The applicant has provided a description of each building along with interior and exterior photos. The following is a summary of the information provided.

The one-story commercial building located the corner of East Washington Avenue and First Street (1900 East Washington Avenue) was constructed in 1963. The applicant notes that the structure is dated in its appearance and that building renovations, including the application of EIFS on top of the original masonry, have had a detrimental impact on the building's appearance at this highly visible corner. Structurally, the applicant notes concerns over the condition of some of the concrete masonry units. Mechanically, the applicant indicates the building is not energy efficient. Other concerns include lack of natural light, poor site access, deficient parking, and relatively poor condition of interior finishes.

Adjacent to the commercial building are two (2) three-flat residences located at 1906 and 1910 East Washington Avenue. These structures were built in 1915 and 1884, respectively. According to the applicant, remodeling over the years has removed much of the original detail of both structures. Both structures are noted as being energy inefficient, lacking insulation, and containing only single-pane windows. Further, the interior finishes on both structures are noted as showing significant wear. According to the applicant, the residence at 1906 is in worse condition, requiring a new roof and partial foundation replacement. That structure is also noted as having outdated electrical systems.

A smaller single-family residence is located at 1916 East Washington Avenue. This structure was built in 1915. The applicant notes there are some foundation issues relating to the original stone. Further, the applicant's materials state the building has undersized electrical service and overall, the building is not energy efficient. Some of the original exterior detail has been removed. The applicant believes that it would not be economical make the necessary improvements and repairs necessary to make the building desirable for future owner or renter occupants.

### Zoning Map Amendment Request

The applicant's second request is to rezone the property to PUD-GDP-SIP (Planned Unit Development-General Development Plan – Specific Implementation Plan). This rezoning would allow for construction of a three-story mixed-use building with ground floor commercial, 28 apartments, and underground parking. Currently, the two parcels closest to the corner of First Street and East Washington Avenue (1900 and 1906 East Washington) are zoned C2 (General Commercial District). The remaining parcels (1910 and 1916 East Washington) are now zoned R5 (General Residence District).

The site plan includes minimal building setbacks along East Washington Avenue and First Street. The building is set roughly 24 feet from the eastern property line, with a drive aisle, parking, and a six-foot wooden fence between the subject property and the smaller residence at 1920 East Washington Avenue. The proposed structure is set roughly 20 feet from the adjacent northern property line at 17 N. First Street with roughly 32 feet proposed between these structures.

One vehicular access point is proposed along East Washington Avenue, along the “northeast” side of the building. This drive leads to a 14-stall surface parking lot.

The lower level plan includes 43 underground parking stalls. Access to this parking would be from two overhead doors located near the rear of the “northeast” facade, accessed from the surface parking lot.

The ground floor plan includes approximately 9,500 square feet of retail and office space, generally fronting East Washington Avenue, First Street and the surface parking lot. Potential tenants have been identified as a salon, coffee shop, and market. Other retail office space is also shown on the ground floor. This level also includes two apartment units and storage areas for residential tenants. The main entrance to the upper floor residential units is located at the northeast corner of the building and includes a vestibule, small lobby, and elevator access.

A “typical” floor plan is provided for the building's second and third levels. Each level includes 13 dwelling units accessed from internal hallways. On the second floor, six (6) units include direct access to a rooftop garden that occupies the East Washington Avenue and First Street corner.

Based on a site area of 0.63 acres and 28 proposed dwelling units, the proposed project has a density of 44 units per acre. Total unit count for the building includes:

	<b>Total Dwelling Units</b>	<b>% of Total Units</b>	<b>Total # of Bedrooms</b>
One-Bedroom Units	2	7%	2
One-Bedroom Plus Den	14	50%	14
Two-Bedroom Units	12	43%	24
Total	28	100%	40

There are several unique aspects to the building's design. One notable feature is the two-story arcade lining the front of the commercial facades. The outer arcade wall is made of split face concrete masonry units (CMU) with “punched” openings. Individual business signage would be recessed within these openings. The outer CMU wall sits atop a sandblasted concrete base. The primary material behind the arcade wall would be vertical wood (cypress) siding on the upper floors and a combination of glass and EIFS on the ground floor. Glass would be provided in the areas behind the punched openings and the EIFS would align with the solid portion of the outer arcade wall. The structure features a rounded building corner at the intersection of East Washington Avenue and First Street.

Another unique building feature is the 2,400 square foot roof-top terrace above the first floor. The structure would appear as a two-story building at the corner, however, the upper floors of the building are stepped back to make room for this patio. The landscape plan shows the garden will be lined with pavers and include a variety of perennials and ornamental trees planted within four planters. This garden would be partially visible from the street.

Other landscaping on the site includes foundation plantings along the street and parking lot-facing facades. The rear of the building includes a rain garden and small ornamental trees.

## **Project Analysis**

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### Conformance with the Adopted Plans

While aspects of this proposal are consistent with adopted plans, this proposal is not entirely consistent with all adopted recommendations.

The Comprehensive Plan recommends low-density residential uses for the subject property. The site marks the western edge of a larger area recommended for low-density residential development. The plan generally discourages the encroachment of larger apartment buildings into areas recommended for low-density residential development, but provides some flexibility as it relates to small-scale mixed-use buildings. The Plan includes the following in regards to this recommendation:

“ Although primarily a residential designation, a limited amount of other land uses are also located within low-density residential areas, and these often serve as focal points for neighborhood activity... Non-residential uses within a low-density residential area may include neighborhood-serving retail and service uses, especially in mixed-use buildings. Within designated low density residential areas, commercial uses are limited to small-scale establishments providing convenience goods or services to neighborhood residents.”

The proposed commercial tenants are considered to be neighborhood-serving and are located within a mixed-use building, as recommended. Considering the above, a well-designed mixed-use project at this site might be marginally consistent with the Comprehensive Plan's low-density residential recommendation if the scale, massing, and design details relate well to the immediate surrounding uses. However, the Commission will also need to consider the density and character recommendations found in the adopted land use plans.

The proposed project includes a density of approximately 44 dwelling units per acre, well in excess of the 15 dwelling units per acre maximum recommended in the Comprehensive Plan for low-density residential areas. That plan states that higher densities could be supported when consistent with a “specific recommendation in an adopted neighborhood or special area plan.”

The Emerson East Eken Neighborhood Plan, adopted in March 1998, does not provide specific redevelopment recommendations for this site. While the plan identifies several locations in which new “multi-family or mixed-use developments” are recommended, the subject site is not identified as such. The plan provides general guidance on potential zoning changes, with the four-parcel subject site falling into two recommendations. The two western-most properties, closest to First Street, are recommended to maintain their “General Commercial” zoning. The two eastern-most properties are

located within a larger area recommended to be “down-zoned” to less intensive residential districts. This recommendation is offered as “part of an effort to preserve the existing character of the neighborhood.” Therefore, expanding the corner commercial and mixed further into this block was not anticipated in this plan. The Planning Division notes that the further introduction of commercial, mixed-use, or larger-scale residential buildings further into the interior of this block would clearly not be consistent with the Plan.

The neighborhood plan also provides general design recommendations guiding the redevelopment of commercial properties along East Washington Avenue. The applicant’s proposal is generally consistent with these form recommendations. Specifically, the plan recommends that buildings are of least two stories in height, include residential uses over first floor retail, and be built up to the sidewalk edge.

### Design Considerations

The applicant has requested rezoning to the Planned Unit Development – General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) district. Therefore, the Commission will be providing a recommendation on all aspects of this proposal, including building and site design. The Urban Design Commission (UDC) granted initial approval of this proposal on May 20, 2009 and their report is attached. Additional design details will be required when the applicant submits for final UDC approval.

There are several positive aspects to the proposed design. Mixed-use buildings, with residential units over retail development are a building form that is generally encouraged, especially as an alternative to stand-alone single-story commercial development. Other positives include the inclusion of underground parking. A potential design strength is the overall uniqueness of the proposed building and staff note that this redevelopment could provide a signature building at a highly visible intersection.

In considering the design context, the surrounding properties consist of primarily one and two-story wood frame residential structures. The neighborhood plan generally recommends maintaining this character. A larger 40-unit apartment building sits at the eastern end of this block at the corner of East Washington Avenue and Second Street. The proposed three-story building would be taller than the adjacent one and two-story residences, though there are some three-story residential buildings in the area, including the two proposed for demolition. The increased mass of the proposed building represents a significant visual change at this corner. The height and minimal setbacks are consistent with the general commercial redevelopment guidelines in the neighborhood plan and staff believe the proposed building would provide a much more prominent street presence than what is provided by the current non-descript, one-story commercial building. The building marks the edge of the residential block, and therefore, could be considered a transition to more intensive development west of First Street. Though staff note that the proposed building expands the commercial corner further down the block than anticipated in adopted land use plans.

The applicant proposes a unique mix of building materials. As noted in the project description, the building includes a rounded, two-story arcade feature lining the front of the building. The outer arcade wall would consist of split face concrete masonry units (CMU) with “punched” openings. The outer CMU wall sits atop a sandblasted concrete base. The actual building face, behind the arcade wall would be vertical wood (cypress) siding on the upper floors and a combination of glass and EIFS on the ground floor. Glass would be provided in the areas behind the punched openings and the EIFS would align with the solid portions of the outer arcade wall.

In other urban infill projects, staff have generally discouraged the use of CMUs as a primary façade material. In speaking with the applicant, the split face CMU is an important part of the overall design concept. Some members of the UDC specifically noted they liked the contrast between the stark gray CMU and the “warmer” wood siding. The cypress siding is the primary exterior material facing nearby residences and the applicant indicates this material choice was done to help transition the building from a mixed-use to a residential character. Staff have concerns on the height of the exposed concrete foundation walls along the First Street (Southwest) elevation. The applicant has indicated the foundation wall will have a smooth, sandblasted finish, which would provide an alternate color and texture to the CMU and wood siding. Additionally, the proposed landscaping may help to soften this edge. Finally, staff note that a vibrant-colored green EIFS is proposed behind the arcade wall. The conceptual renderings indicate this material is extended to the sidewalk. Staff would like to see the EIFS more integrated with other materials and recommends that EIFS not be allowed to come in contact with the ground. The UDC has not provided a final recommendation on the facade details. Additional elevation detail is required as part of the submittal package needed for final UDC approval.

Staff note that the roof-top garden above the second floor is only accessible to some of the second-floor units. Building-wide access is not provided.

The applicant intends the overall identity of the building to be “Emerson Place” and indicates that Individual business signage would be recessed within the punched openings. Additional business “banner” signage is proposed along the northeast elevation. These signage areas can be seen on the illustrative renderings.

Staff have some questions about the interior layout of spaces, especially for the ground floor commercial uses. One key issue is the apparent limited visibility of the market tenant. Though exterior building signage would provide some visibility, the store itself is located at the back of the ground floor. Access would be from the one arcade opening on the parking lot.

Finally, staff note that the primary pedestrian route across the site would be through the building arcade. Plans show there are two entrances to the arcade along the First Street façade, and four along the East Washington frontage. There is only one arcade entrance point along the parking lot side. Staff questions whether an additional opening would be desirable, especially considering that no other pedestrian walk is located adjacent to the parking area. The applicant indicates it would be possible to provide a secondary access to the arcade, though one is not currently proposed because of site grades.

While the Plan Commission often provides recommendations based on initial approval of the UDC, it has also referred some cases pending final UDC approval. This is a very unique development proposal and the Commission could recommend referral should it believe further design detail or the final decision of the UDC would be helpful in making their recommendation.

### Consideration of Demolition Standards

The four buildings proposed for demolition vary in size, age, and condition. The applicant has provided a summary of the condition of each building and provided several photos depicting both the inside and outside of each structure.

All structures are noted as generally being energy inefficient, lacking accessibility, and having worn interior surfaces and outdated fixtures. Two of the residences are noted as having outdated electrical systems. Additionally, the applicant indicates that building renovations over time have removed many

of the desirable historic characteristics of the older residences. Based on the information submitted by the applicant, the three-flat residence at 1906 East Washington Avenue is perhaps in the worst condition of the buildings. The applicant has noted this building requires partial foundation replacement and a new roof. The applicant also notes foundation concerns with the single-family residence at 1916 East Washington Avenue. In addition to deteriorating physical condition, the one-story commercial building suffers from poor site access and limited parking.

Staff have not formally inspected the interior of the structures proposed for demolition. Based on the information provided by the applicant, staff believe that several repairs and upgrades are necessary on each of the properties to address the noted functional and aesthetic issues. The general condition of these buildings may not differ significantly from other older homes in this neighborhood and staff do not have information to indicate that these buildings are not physically capable of being rehabilitated, renovated, or relocated. However, the submitted information indicates it would be very economically difficult to provide the necessary improvements to make the sites viable for new owner and renter occupants.

The City's Acting Preservation Planner has reviewed the demolition requests and does not provide objections. She notes the only historic value of the three homes proposed for demolition lies in their context among other houses of similar scale and vintage.

The Plan Commission will need to make its determination on whether the demolition standards are met. The applicant states the proposed redevelopment will help to stabilize this corner and provide a higher quality of development with approved amenities, accessibility, and access. The effect of the project on the "normal and orderly development and improvement of surrounding properties" is one of several considerations the Plan Commission can give decisive weight to in making its finding in regards to the demolition standards.

#### PUD Considerations: Implementation and Financing

Planned Unit Developments are intended to promote improved environmental and aesthetic design by allowing for greater freedom, imagination, and flexibility compared to conventional zoning districts. As noted in this report, the proposed project is of a very unique design. Staff note the following in regards to applicable standards and requirements.

Considering the general zoning map amendment standards, if the Plan Commission approves this proposal, it would need to make a finding that the adoption of this rezoning is in public interest and is not solely for the interest of the applicant. Considering this proposal, potential public benefits include the redevelopment of an underutilized corner and potentially expanded neighborhood commercial offerings. Staff also note the proposal would remove some back-yard parking behind one of the three-flat residences. In making their recommendation to the Council, the Commission will also need to give due recognition of the adopted Comprehensive Plan. As noted in previous section, the proposed project is consistent with some, but not all of the adopted recommendations. The Planned Unit Development approval criteria include the character and intensity of land use, economic impact, maintenance of open space, and the implementation schedule.

Applicants of Planned Unit Developments are required to provide proof of financing capability as part of the information reviewed for the approval of Specific Implementation Plans (Sec 28.07(6)(g)(3)(a)(x)). Staff recommends that the applicant also submits an executed contract with a construction firm, providing assurances that the project will be completed once started, in a form acceptable to the



Director of the Department of Planning and Community and Economic Development. This shall be approved prior to the sign-off and recording of the PUD and any permits being issued.

In regards to the project timing and implementation, staff has received comments from a nearby resident noting concern over a scenario in which the demolitions would occur but the redevelopment project does not, leaving a significant gap in the block face. This correspondence is attached. To address this concern, staff recommend a condition that no building shall be demolished until such a time the final PUD is approved, recorded, and that the aforementioned proof of financing/construction contract is in place and all agency approvals sign off have been obtained. The zoning code specifies that Planned Unit Developments shall include suitable assurances that each phase could be completed in a manner which would not result in an adverse effect upon the community as a result of termination at that point (Sec 28.07(6)(f)(4)).

#### Building Tenure and Management

The building was originally proposed to be a 26-unit condominium building, managed by a condominium association. As noted in the introduction of this report, the applicant has revised his proposal to include 28 rental apartment units. While the applicant did not provide information regarding interior finishes, staff presume that as apartment buildings, a lesser grade of finishes may be included. Demolition information provided with this application provided several references to the poor condition of interior finishes and that issue was cited, in part, as a challenge in attracting new occupants to the existing residences. The letter of intent states that the project intends to improve the quality of housing at this location. Additionally, the applicant states there remains an overall desire to convert this building to condominiums, when that market becomes stronger. Considering this, staff believe the applicant has set a relatively high expectation regarding the quality of interior finishes and amenities for each unit. While staff do not have specific recommendations on specific materials, staff request that the applicant provide supplemental information on the proposed level of finishes and amenities, for approval by Planning Division staff.

Staff also request the applicant provide additional information on building management. Section 28.07(6)(g)(3)(a)(xiii) requires the SIP to include "agreements, bylaws, provisions, or covenants which govern the organizational structure, use maintenance and continued protection of the development." The letter of intent states that if the development were to be an apartment building, the owner would hire an independent management company with "expertise and a good track record in this type of mixed use project." Staff recommend the details of this agreement be provided for approval by the Director of the Department of Planning and Community and Economic Development.

#### Lot Combination

This building would be subject to commercial building codes, and therefore, the building cannot be sited on top of a property line. Therefore, staff recommend a certified survey map be created and recorded combining the individual parcels into one parcel, if the project is approved.

## Conclusion

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The applicant requests approval of a zoning map amendment and four demolition permits to allow for the construction of a mixed-use building at the intersection of East Washington Avenue and First Street.

The proposed building is a unique three-story structure, featuring ground floor commercial, 28 apartment units, and 43 underground parking stalls. Among the more prominent design features is a two-story rounded wall with “punched” openings forming a covered arcade in front of the commercial storefronts. These storefronts line both the East Washington Avenue and North First Street frontages. Other unique features include a second-story rooftop garden and an atypical mix of primary building materials including cypress siding and split-face concrete masonry units. The project has received initial approval from the City’s Urban Design Commission.

The proposed building is consistent with some aspects of the City’s adopted plans. The Comprehensive Plan recommends low-density residential development for this area, and mixed-use buildings with neighborhood-serving commercial uses are included in the recommended mix of buildings. The building meets the general form guidelines recommended for East Washington Avenue commercial redevelopment in the Emerson East Eken Neighborhood Plan that recommends buildings be built to the sidewalk edge and are least two stories in height. That general design recommendation also encourages residential uses over first floor commercial space.

However, there are areas in which this proposal differs from the adopted land use recommendations. The first is the proposed density. With 28 dwelling units, the building has a proposed density of roughly 44 units per acre, above the overall range recommended for low-density residential development. Secondly, the project extends commercial and mixed-use development from the existing commercial corner further into an otherwise residential block. The subject site marks the western edge of a primarily residential portion of East Washington Avenue. The area from First Street past East High School consists primarily of smaller residences, though there are a small number larger apartments and mixed-use buildings within this area. Adopted plans recommend maintaining the existing small residential building character. The proposal would remove three residential structures and convert two residentially zoned properties into non-residential zoning.

The applicant has provided information and photographs depicting the condition of the buildings proposed for demolition. The buildings appear to vary in their overall condition and require different levels of repair and rehabilitation. The applicant and his agent have not indicated whether the buildings would be suitable for relocation. Materials provided by the applicant reference limited economic feasibility in rehabilitating the structures for new commercial and residential tenants. The City’s Acting Preservation Planner does not object to the building demolition and notes that only historic value of the three homes proposed for demolition lies in their context among other houses of similar scale and vintage. Based on the information currently available, the Planning Division does not believe that the buildings have deteriorated to the point where renovations or relocation would not be an option.

Planned Unit Developments (PUD) are intended to promote improved environmental and aesthetic design by allowing for greater freedom, imagination, and flexibility compared to conventional zoning districts. Along with additional review criteria, PUDs have additional submittal requirements. These include proof of financing, phasing assurances, and building management details. Staff has recommended specific conditions related to these requirements, should this proposal be approved.

Planning Division staff believe this proposal could potentially meet the applicable review standards, though the Plan Commission will need to carefully consider the applicable review standards, submitted materials, adopted plans, and public hearing testimony in making their recommendation.

## **Recommendations and Proposed Conditions of Approval**

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Major/Non-Standard Conditions are Shaded
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### **Planning Division Recommendation** (Contact Kevin Firchow, 267-1150)

If the Plan Commission can find the proposed project is in conformance with the standards for approval for demolition permits, zoning map amendments and planned unit developments, the Planning Division recommends the Plan Commission forward Zoning Map Amendment 3425, rezoning 1900-1916 East Washington Avenue from C2 (General Commercial District) and R5 (General Residence District) to PUD-GDP-SIP (Planned Unit Development-General Development Plan-Specific Implementation Plan) to the Common Council with a recommendations of **approval**. In after considering the submitted materials, staff comments, and public hearing testimony, the Plan Commission believes that additional design guidance from the Urban Design Commission is necessary, this item could be referred to a future Plan Commission meeting pending a final recommendation from the UDC. These recommendations are subject to input at the public hearing, below conditions recommended by the Planning Division, and the conditions recommended by other reviewing agencies.

1. If conditions of approval are not met, the zoning shall revert back to current zoning.
2. That the applicant submit proof of financing and an executed contract with a construction firm, which provides assurances that the project will be completed once started, in a form acceptable to the Director of the Department of Planning and Community and Economic Development prior to the sign-off and recording of the PUD and any permits being issued.
3. That the owner retains the services of an experienced property management company to manage this property. The company shall be approved by the Director of the Department of Planning and Community and Economic Development in consultation with the Building Inspection Division and the City Attorney's Office prior to the issuance of building permits. The Planning Division shall be notified in writing of any change in the management company, with the changes to be approved by the Director.
4. That no demolition permits shall be issued until the PUD is approved, recorded, and that the aforementioned proof of financing and construction contracts are in place as noted in the above condition.
5. That the applicant satisfies the conditions of approval of the Urban Design Commission prior to the final staff approval of the project and the issuance of building permits.
6. That all exterior materials for each building be specified on elevation drawings consistent with the elevations approved by the Urban Design Commission. EIFS should not come in contact with the ground.
7. That Planning Division staff approve the final landscape plan.

8. That the zoning text be amended to remove references to “three-story” maximum building height. Maximum building height shall be as shown on approved plans and be updated to be consistent with the current plans including listed square footages and number of dwelling units.
9. That the applicant provides supplemental information on the proposed level of interior finishes and amenities for each unit, for approval by Planning Division staff.
10. That the applicant records a certified survey map, combining these four parcels into one.

***The following conditions have been submitted by reviewing agencies:***

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

11. Provide detail of proposed entrance to underground parking. Said detail must ensure protection from flooding
  12. The City of Madison approved address that shall be posted in accordance with Madison General Ordinances is 1902 E. Washington Avenue.
  13. In accordance with 10.34 MGO – STREET NUMBERS: Submit a PDF of each floor plan to Engineering Mapping Lori Zenchenko ([Lzenchenko@cityofmadison.com](mailto:Lzenchenko@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.
  14. Sheet C1 identifies parcel dimensions by undefined curve and course notes. Provide complete parcel dimensions within the appropriate plan sheets
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.
  16. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
  17. The approval of this Conditional Use 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.

18. 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.
19. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
20. The Applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.
21. All work in the public right-of-way shall be performed by a City licensed contractor.
22. 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.
23. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
24. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
  - a. Control 40% TSS (20 micron particle) off of new paved surfaces and complete an erosion control plan, and
  - b. Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website – as required by Chapter 37 of the Madison General Ordinances.Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.
25. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.
26. The Applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number:
  - a. Building Footprints
  - b. Internal Walkway Areas
  - c. Internal Site Parking Areas
  - d. Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
  - e. Right-of-Way lines (public and private)
  - f. All Underlying Lot lines or parcel lines if unplatted
  - g. Lot numbers or the words “unplatted”

- h. Lot/Plat dimensions
- i. Street names

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred [izenchenko@cityofmadison.com](mailto:izenchenko@cityofmadison.com). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file.

27. 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:

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 Management Facilities (including if applicable planting plans).

28. The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:

- a. SLAMM DAT files.
- b. RECARGA files.
- c. TR-55/HYDROCAD/Etc...
- d. Sediment loading calculations

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

29. The Applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The Applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.

30. The Applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.

31. All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.

32. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.

33. Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.

34. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.

35. 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.

**Note:** Permit applications for 28 through 32 above are available on line at:

<http://www.cityofmadison.com/engineering/permits.cfm>.

**Traffic Engineering Division** (Contact John Leach, 267-8755)

36. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.

37. "Stop" and "No Left Turns" signs shall be installed at a height of seven (7) feet at the driveway approach. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.

38. The applicant should design the surface or underground parking areas for stalls and backing up according to Figures II of the ordinance using the 9' or wider stall for the commercial/retail area. The "One Size Fits All" stall shall be used for the residential parking area only, which is a stall 8'-9" in width by 17'-0" in length with a 23'-0" backup. Aisles, ramps, columns, offices or work areas are to be excluded from these rectangular areas, when designing underground parking areas. The applicant shall show the dimensions for proposed and existing parking stalls.

39. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.

40. The Developer shall post a deposit and reimburse the City for all costs associated with any modifications to Traffic Signals, Street Lighting, Signing and Pavement Marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.

41. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

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

42. Meet applicable State Building and State setback ordinances

43. Meet all applicable state accessibility requirements, including but not limited to:

- a. Provide a minimum of two accessible stalls/ one for surface striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent.

- b. Show signage at the head of the stalls. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
- 44. Provide one 10' x 35' loading area for the commercial tenant space with 14' vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space. Note: Loading shall be provided per the above requirement, unless the Plan Commission approves a specific loading reduction.
- 45. Specify in zoning text what the residential element will be. Application states condominiums and zoning text states apartments.
- 46. Provide 30 bike-parking stalls (28 for the residential use and 2 for the commercial uses) in safe and convenient locations on an impervious surface to be shown on the final plan. Note: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.
- 47. Show addresses on the building and commercial tenant spaces on the final plans.
- 48. Provide a site plan that shows proposed setbacks to structures as well as the off-street loading areas.
- 49. Lighting is required. Provide a plan showing a least 0.5 foot candle on any surface on any lot and an average of 0.75 foot candles. The maximum light trespass shall be 0.5 foot candle at 10 ft from the adjacent lot line (See City of Madison lighting ordinance).
- 50. 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.

**Fire Department** (Contact Scott Strassburg, 261-9843)

- 51. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows:
  - a. The site plans shall clearly identify the location of all fire lanes.
  - b. Provide an aerial apparatus access fire lane that is at least 26-feet wide, with the near edge of the fire lane within 30-feet of the structure, and parallel to one entire side of the structure, if any part of the building is over 30 feet in height.
  - c. Provide a fire lane that extends to within 150-feet of all exterior portions of the structure, or it can be extended to within 250-feet if the building is fully sprinklered.
- 52. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least TWO fire hydrants. Distances are measured along the path **traveled by the fire truck as the hose lays off the truck**. See MGO 34.20 for additional information.

**Parks Division** (Contact Tom Maglio, 266-6518)

- 53. The developer shall pay 40,724.45 in park dedication and development fees for 26 new condo units and 2 new multi-family units, minus credits for the existing 6 mf units and 1 sf unit.



54. The developer must select a method for payment of park fees before signoff on the rezoning.

**Water Utility** (Contact Dennis Cawley, 261-9243)

This property is not in a Wellhead Protection District. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. The Madison Water Utility shall be notified to remove the water meters prior to demolition.

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

This agency did not submit a response for this request.