

PLANNING DIVISION STAFF REPORT

March 5, 2014

PREPARED FOR THE URBAN DESIGN COMMISSION AND PLAN COMMISSION



Project Address: 17-25 North Webster Street and 201 East Mifflin Street

Application Type: Demolition Permit, Conditional Use, and Zoning Map Amendment

Legistar File ID # [32101](#) and [31935](#)

Prepared By: Kevin Firchow, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Reviewed By: Katherine Cornwell, Planning Division Director
Michael Waidelich, Principal Planner

Summary

Applicant: Fred Rouse; Rouse Management; 2428 Perry Street; Madison, WI 53713

Contact: J. Randy Bruce; Knothe & Bruce Architects; 7601 University Avenue, Middleton, WI 53562

Property Owner: Fred Rouse; Rouse Management; 2428 Perry Street; Madison, WI 53713

Requested Action: The applicant requests approval of four demolition permits, a conditional use, and a zoning map amendment from DR-1 (Downtown Residential-1 District) to UMX (Urban Mixed Use District) for the purpose of constructing a six-story 49-unit building. Please note, this is a revised submittal.

Proposal Summary: Upon demolition of the existing structures, the applicant proposes to construct a six-story, 49-unit building with 42 under-building parking stalls. The building is adjacent to a local landmark, the Frank Lloyd Wright designed "Lamp House."

Applicable Regulations & Standards: This proposal is subject to the standards for Demolition Permits [M.G.O. Section 28.185(7), Conditional Uses [Section 28.183], and Zoning Map Amendments [Section 28.182]. Due to its proximity to the "Lamp House," this proposal was also reviewed by the Landmarks Commission to provide an advisory recommendation.

Review Required By: Landmarks Commission, Urban Design Commission, Plan Commission, Common Council

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the demolition and conditional use standards are met and approve the requested demolition permits to allow the construction of a 49-unit residential building at 17-25 North Webster Street and 201 East Mifflin Street. Further, the Planning Division recommends the Plan Commission forward substitute zoning ordinance 00090 rezoning the subject property from the DR-1 (Downtown Residential 1) District to the UMX (Urban Mixed Use) District a recommendation of **approval**. This recommendation is subject to the input provided at the public hearing and the comments and conditions recommended by reviewing agencies.

Background Information

Parcel Location: The subject site includes five properties located at the corner of North Webster and East Mifflin Streets. The subject site comprises an area of approximately 46,115 square feet. The site is within Aldermanic District 2 and within the limits of the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site includes four residential structures that are proposed for demolition. The structures range from 2 unit to 5-unit buildings. Further information is summarized in this report. A detailed demolition report has been provided by the applicant which summarizes their findings on the conditions of the existing structures.

Surrounding Land Use and Zoning:

North: Capitol North parking ramp, zoned UMX (Urban Mixed Use);

South: Single-Family home with vacant auto repair business, beyond, zoned DR-1 (Downtown Residential 1 and DC (Downtown Core).

East: Single and two-family structures, including the landmark "Lamp House" zoned DR-1. Beyond (and fronting on Butler Street is the seven-story Odessa Apartment building, zoned PD (Planned Development); and

West: Five-story Capitol Hill Apartments, zoned PD with the 12-story Capitol Point Condominiums, beyond.

Zoning Summary: The property is proposed to be rezoned to the UMX (Urban Mixed Use District)

	Requirements	Proposed
Lot Area	3,000 sq. ft.	14,780 sq. ft.
Lot width	30	130'
Front Yard Setback	5'	5'
Maximum Front Yard Setback	10'	8.1'
Side Yard Setback	0	5' RS 5' LS
Rear Yard	10'	10'+
Maximum lot coverage	90%	Less than 90%
Minimum Height	2 stories	6 stories
Maximum Height	See Downtown Height Map	6 stories
Stepback	See Downtown Stepback Map	n/a
Usable open space	490 sq. ft. 10 sq. ft. per bedroom	To be shown on final plans.
Number parking stalls	0	43
Loading	0	0
Number bike parking stalls	1 per unit up to 2-bedrooms, 1 guest space per 10 units 49 & 5 guest stalls 54 total	To be shown on final plans sets.
Landscaping	Yes	Yes
Lighting	Yes	Yes
Other Critical Zoning Items	Urban Design, Adjacent to Landmark Utility easements Barrier free (ILHR 69)	

Adopted Land Use Plan: The Comprehensive Plan and the Downtown Plan include this site and surrounding block within the Downtown Core Downtown-Districts. The Downtown Plan's Generalized Future Land Use Map recommends predominantly residential uses for this site. The maximum height recommendation for this site is 6 stories. The Common Council accepted the report of the Lamp House Block Ad Hoc Plan Committee on February 25, 2013. However, this application was submitted prior to that process starting and the City Attorney has advised that it is not appropriate to evaluate these requests on that 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.

Project Description

The applicant requests approval of four demolition permits, a conditional use, and a zoning map amendment from the DR-1 (Downtown Residential-1) District to the UMX (Urban Mixed Use) District.

Please note, this is a revised application. The applicant's previous proposal requested approval of a different six-story apartment building with 59 units. The applicant has revised the plans after being referred at the Landmarks Commission in December 2013. This report focuses on the revised proposal which is a six-story, 49 unit building. Unless otherwise noted, the recommended conditions are in response to the current request.

Four buildings are proposed for demolition. Staff notes that the applicant has only owned these structures since June of 2013. A brief summary of each structure is below. Additional detailed information has been provided by the applicant. Planning Division staff has not conducted an inspection of these units, though information provided by the applicant depicts a variety of structural and more cosmetic concerns with each of the buildings. The applicant notes that it appears that significant portions of custom details, built-ins, pocket doors, and decorative work has been removed and the structures significantly modified as they were converted to student rentals. The applicant's submitted information can be viewed online at:

http://www.cityofmadison.com/planning/projects/reports/17nws_photos.pdf

- **17 North Webster Street:** This two-story, two-unit building was constructed in 1872 according to City Assessor's records. Information provided by the applicant states that are structural issues with this building including "significant deterioration" of the mortar within the foundation walls, deformation of dormers, and spalling masonry on the surface believed to be caused by presence of water.
- **19 North Webster Street:** This two-story, five-unit building was constructed in 1904 according to City Assessor's records. Information provided by the applicant states that a portion of the basement foundation wall is significantly deteriorated and that water damage behind the siding is likely causing damage to wood framing. The applicant's report states that the front and rear porches are in poor condition.
- **23 North Webster Street:** This two-story, four-unit building was constructed in 1894 according to City Assessor's records. Information provided by the applicant states that this structure has "significant structural issues" and cites foundation settlement and wall rotation among the issues. Some roof framing deformations have also been noted.

- **201 East Mifflin Street:** This two-story, two-unit building was constructed in 1886 according to City Assessor's records. Information provided by the applicant notes that trim along water table at the first floor was channeling water into the interior of the wall in some location. The detailed report by the applicant notes that this property is in generally better condition than the other properties and has the most original interior features intact.

Upon demolition of the structures, the applicant proposes to construct a six-story apartment building with 49-units. The building includes two levels of under-building parking stalls, which will be accessed from a driveway proposed on East Mifflin Street. This parking area includes 42 automobile stalls with an additional stall proposed for a community car. There are 44 underground bike parking stalls on the ground and five wall-hung spots within the parking structure. Four stalls are proposed along the site's exterior.

The building includes a combination of efficiency, one, and two-bedroom units:

	Dwelling Units	Number of Bedrooms
Efficiency / Studio	13	13
One-Bedroom	26	26
Two-Bedroom	6	12
Two-Bedroom Townhouse	4	8
TOTAL	49	59

The building is divided into two sections, joined through a mid-building connection that is open on the ground level. The fifth story is stepped back at the rear (Lamp House side) and the sixth story is stepped back on all sides. The lower four stories of the building will be clad in a brick veneer with the fifth and six stories clad in a combination of horizontal composite siding and larger composite panels. The composite siding extends down to the building base in select portions of the building.

The primary entrance to the building is along Webster Street, within the building's southern (plan right) section. A secondary entrance is proposed along Webster Street, closer to the Mifflin Street corner and within the building's northern (plan left) section. Two of the individual ground floor units along Webster Street have individual unit entrances. One entrance along Mifflin Street has a street-facing entrance connected by a staircase.

Above grade, the building is setback a minimum of five feet from the North Webster Street sidewalk to allow for that sidewalk to be widened to eight (8) feet. The proposed building has an above-grade setback of 15 feet where adjacent to the Lamp House. Under this proposal, the distance between the Lamp House and development on this site would remain about the same.

Along the south side of the structure, the plans show an existing driveway shared with the residence on 15 North Webster which is not part of this proposal. While that driveway would remain, the gravel parking area on the 17 North Webster property will be replaced with lawn and landscaping.

Analysis and Conclusion

The proposed project is subject to the demolition, conditional use, and zoning map amendment approval standards in the Zoning Code. Properties developed in the UMX (Urban Mixed Use) zoning district must also be reviewed against the Design Standards of Section 28.071(3) and the advisory Downtown Urban Design Guidelines. Because of its adjacency to the “Lamp House” a local landmark, an advisory recommendation from the Landmarks Commission is also required. The below analysis begins with a summary of the adopted plan recommendations, as many of the specific approval standards reference these documents.

Conformance with Adopted Plans

The Comprehensive Plan and the Downtown Plan should be considered in evaluation of this proposal. The City Attorney has advised that the recommendations in the “Report of the Lamp House Block Ad Hoc Plan Committee” should not be considered as part of the evaluation of this request, as this application was submitted prior to that Plan being completed and accepted by the Common Council. Staff notes, that the applicant’s letter of intent includes their summary of how the project relates to the recommendations of that document.

The Comprehensive Plan includes this property within the Downtown Core sub-district of Downtown. That Plan’s recommendations include high-density residential development (greater than 60 dwelling units per acre) and buildings between two and four stories in height. The recommendation acknowledges that density may also be established indirectly by design standards. That Plan also recognizes that refinements of these districts may occur with City-adopted detailed special area plans, such as the recently adopted Downtown Plan.

In regards to development adjacent to Landmarks, the Plan includes the following:

Goal 1: Maintain and enhance Madison’s identity as a center of historic and cultural assets and activities.

Objective 3: Ensure that redevelopment and infill projects throughout the City are compatible with and complement existing historic resources and characteristics in the area.

The Downtown Plan also includes this site within the Downtown Core sub district, which covers a wide and varied geographical area. Similar to the Comprehensive Plan, this area is recognized as the center of Downtown which is generally recommended for the highest intensity of development. There are few detailed recommendations related to development in the subject block. The recommended height map, which is also codified in the Zoning Ordinance, recommends a maximum height of six stories. The recommended land use for the subject site is “predominantly residential.”

Under the “Build on Historic Resources” sub-section the Plan notes the location of the Lamp House, but does not include other specific recommendations. In regards to Landmarks, the Plan includes the general objective to “Preserve historic buildings and groupings of buildings that contribute to the essential character of Downtown and its neighborhoods.” The plan also includes a recommendation to “preserve and restore landmark buildings.”

Finally, the subject site also sits within the “Outer Loop,” which is the primary automobile route around the Capitol Square. The Plan acknowledges much of the outer loop is not an inviting place to walk or drive. The Plan calls for streetscape enhancement and buildings with active ground floors and street-facing facades.

Zoning Map Amendment Standards

The applicant requests that the property be rezoned from the DR-1 (Downtown Residential-1) to the UMX (Urban Mixed Use) District. As proposed, the development does not conform to several standards in DR-1 including the maximum building width, front yard, and the “residential point system” that requires a mix dwelling unit types.

The standards for zoning map amendments are relatively broad and state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City’s Comprehensive Plan. 2010 Wisconsin Act 372 clarified “consistent with” as “furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan.”

The proposal is consistent with the underlying land use, density, and height recommendations of the Comprehensive and Downtown Plans. Other objectives, such as the more subjective goals and objectives related to compatibility to existing historic resources could potentially be found to be met. Related discussion can be found below under the summary of design issues.

In regards to the proposed zoning change, the Planning Division’s primary concern is the resulting change to the “maximum building width” standard. The existing DR-1 zoning limits buildings to a maximum width of 60 feet. The design intent is to maintain a compatible rhythm of relatively frequent spaces between buildings in areas where smaller buildings exist. Along this block, this standard has the added benefit of providing a small glimpse to the rear of the Lamp House building. Staff believes that the revised building mass is improved compared to the applicant’s original submittal which completely “walled-off” the existing Webster Street view of the adjacent Lamp House. However, while the proposed mid-building break provides some visual relief along Webster Street and would maintain a small tunnel view into the Lamp House site, the overall effect is still a much more massive building than the several separate structures that would be required under DR-1 zoning. At the time of report writing, staff had requested further information from the applicant on what specific views would be retained with the proposed mass but has not received further information.

Another issue with the requested UMX zoning is the change to the “residential point system.” In the DR-1 and DR-2 districts, residential developments are required to include a mix of dwelling unit types, based on a calculation of “points” assigned to bedrooms per unit. There are several adopted policies in both the Downtown Plan and Comprehensive Plans that encourage a variety of housing unit types. The building plan increases the number of two-bedroom units compared to the previous version, but would not meet the unit mix required under the existing zoning.

Conditional Use Approval Standards

Multi-family developments with more than eight dwelling units require conditional use approval and as such, the Plan Commission must find that all of the conditional use standards are met. The Planning Division believes the conditional use standards can likely be found to be met. Standard 3, regarding the uses, values, and enjoyment of other properties should be carefully considered, as it relates to impacts on surrounding properties, including the Lamp House.

Demolition Approval Standards

Four demolition permits are requested. In considering the Demolition approval standards, the Plan Commission must find that the proposed demolitions are both 1) consistent with the intent and purpose of the zoning district and 2) that the proposed future use is compatible with the purpose of the demolition section of the ordinance. As noted above, the project is not consistent with some of the DR-1 zoning standards, but is proposed concurrently with a zoning map amendment. There have been numerous demolition permits that have been approved in conjunction with a zoning map amendment.

Regarding finding "2", the standards state that the Plan Commission shall consider and may give decisive weight to any relevant facts including impacts on the normal and orderly development of surrounding properties and the reasonableness of efforts to relocate the building. The demolition standards also state that the proposed use should be compatible with adopted plans, which as discussed above, the use and height are generally consistent.

The demolition standards also state that the Plan Commission shall consider the report of the City's historic preservation planner regarding the historic value of the property as well as any report submitted by the Landmarks Commission. The Landmarks Commission recommended approval at their March 3, 2014. That report will be provided separately.

Summary of Design Issues

Staff notes that this proposal is subject to both the Downtown Design Standards and the Advisory Downtown Design Guidelines. The Standards cannot be waived, unless approved as a variance by the Zoning Board of Appeals. The project appears to comply with those standards, except where further clarifications have been requested by the Zoning Administrator.

The Zoning Ordinance also requires that the Urban Design Commission (UDC) review new development in the UMX District. The project should be reviewed against the Downtown Design Guidelines. The Planning Division believes that numerous guidelines relate to specific design issues raised below including:

- Orientation Guideline 1c: The street level of a building should be designed with active uses and architecture that engages the street/sidewalk in a contextually appropriate manner, and integrates the building architecture and the landscape architecture.
- Orientation Guideline 1e: Buildings at the intersection of streets should have a strong corner presence.
- Massing Guideline 1a: The proportions and relationships of the various architectural components of the building should consider the scale of other buildings in the vicinity. In areas where the Downtown Plan recommends significantly taller or larger buildings than currently exist, this guideline should consider the evolving context.
- Massing Guideline 1b: Larger buildings should solve any problems that their scale may create to ensure a pedestrian-friendly quality. Articulation of buildings in both plan and profile may help break up the mass of large buildings...
- Building Components Guideline 2a: The lower levels of street facing facades should generally incorporate a higher level of visual interest and richer architectural detailing...

- Visual Interest Guideline 3a: Buildings should have an overall design composition with a secondary and tertiary composition within it. All sides should have a similar design composition and quality of materials that make a positive contribution to the built environment.
- Building Materials Guideline 5a: A variety of complementary exterior building materials may be incorporated to provide visual interest to the building. The palette of materials should not be overly complex.
- Building Materials Guideline 5b: All sides of a structure should exhibit design continuity and be finished with high quality materials. Materials should be those typically found in urban settings.
- Building Materials Guideline 5c: If material changes are proposed they should generally occur at inside corners or be delineated by a specific transitional detail such as pronounced belt course or substantial reveal.

Following is a summary of staff's design considerations. The Planning Division's specific recommended design-related conditions of approval are included in the "Recommendation" section of this report. Staff recommends that if the UDC has a differing recommendation on any of the conditions, this should be specified in their recommendation provided to the Plan Commission.

- **Construction Impacts on Lamp House.** Address means/methods of construction as it relates to the Lamp House. There are significant concerns regarding structural impacts to Lamp House, which is within very close proximity to where excavation will occur for the underground parking.
- **Provide Additional Context Information.** The Planning Division has asked the applicant to confirm what views of the Lamp House will exist through the first level opening between windows. There are questions as to what will actually be visible. At the time of report writing, additional context information had not been provided.
- **Simplify and Unify Building Composition.** The Planning Division recommends simplifying the facades and encourages the simplification of some of "ins-and outs" with the emphasis on simple, clean lines. Staff also recommends simplifying the materials on the upper two floors. There is no significant change in plane between 4th and 5th stories along three building sides and the Planning Division believes that including brick to the top of the fifth floor would result in a significant improvement towards unifying the façade. The Division also believes metal may be preferable to the proposed composite panels.

Other comments on building composition include:

- Make the secondary Webster Street entrance door more prominent.
- Consider lighter, "glassier" treatments of the mid-building connection.
- Add a street-entrance, for the ground floor balcony on the north (plan left) side of the building.
- Provide additional small windows along the Webster Street base.
- Eliminate the composite panels between windows.

- **Enhance Corner and Mifflin Façade.** The Planning Division recommends revising the Mifflin Elevation and Mifflin/Webster corner to enhance street-level details. The Planning Division believes that one way to better activate this face would be to add a dwelling unit in lower level along Mifflin Street, adjacent to the garage. This would result in the removal of 3 parking stalls, but would significantly improve the ground floor of this facade.
- **Provide Elevation Drawings for sides adjacent to the mid-building block.** The Planning Division believes these facades will have visibility and no detail has been provided to their appearance.
- **Provide details of the interior walls at the mid-building break.** Submitted plans do not depict the details of the interior walls. These will have some visibility and further information on their design is requested.
- **“Wall Packs” are not believed to be appropriate in this context.** There are concerns both on visual appearance from the street, but also along the rear of the building as they relate to the landmark Lamp House.

Public Input

The applicant formally began this process by having several meetings with an appointed neighborhood steering committee. The proposed design incorporated some of their feedback to increase Lamp House views from Mifflin Street, but staff understands that the project failed to reach a consensus among that group to support the project. As a result, the Alder sponsored the aforementioned block-wide Lamp House planning process. That report was accepted by the Common Council on February 25, but as noted above, those recommendations should not be considered when evaluating this request.

Conclusion

The applicant proposes to demolish four structures for the purpose of constructing a six-story apartment building with 49 dwelling units. In addition to the demolition permits, the development, as proposed, requires approval of a rezoning to the Urban Mixed Use District and a conditional use.

The adopted Comprehensive and Downtown Plans include this property within the “Downtown Core” sub-district which recommend high-density residential development of up to six stories in height for the subject properties. While the proposed redevelopment is consistent with the general use, height, and density recommendations, it has been the Planning Division’s preference that the redevelopment of this site occurs under the standards of the existing zoning district. The existing zoning requires that buildings don’t exceed 60 feet in width. However, the revised plans are believed to be a significant improvement over the applicant’s initial plans and the Division acknowledges the willingness of the applicant revise plans in response to concerns on their initial concept. The applicant’s efforts to divide the structure into a two building-like mass somewhat lessen concerns over the large building approach. Though improved, there are several design revisions that the Planning Division recommends, as noted in this report. Staff believes such changes better align the project with context and the Downtown Design Guidelines. At the time of report writing, the applicant had not yet provided requested context information regarding resulting Lamp House views from Webster Street, visible at the building’s center.

Recommendation

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

The Planning Division recommends that the Plan Commission find that the demolition and conditional use standards are met and approve the requested demolition permits to allow the construction of a 49-unit residential building at 17-25 North Webster Street and 201 East Mifflin Street. Further, the Planning Division recommends the Plan Commission forward zoning ordinance 00090 rezoning the subject property from the DR-1 (Downtown Residential 1) District to the UMX (Urban Mixed Use) District a recommendation of **approval**. This recommendation is subject to the input provided at the public hearing and the comments and conditions recommended by reviewing agencies.

Planning Division (Contact Kevin Firchow, 267-1150)

1. That prior to the issuance of permits, the applicant provides means and methods of construction as it relates to the potential structural impacts on the Lamp House which is located within very close proximity to where excavation will occur for the underground parking. This information shall be approved by the Planning and Building Inspection Divisions.
2. That the Mifflin Street façade be revised to include further activation of the lowest level on the Mifflin Street façade. Unless otherwise approved, this shall include an additional dwelling unit be established in that level. If another approach is be approved by the Common Council, the final design details shall be approved by staff.
3. No building penetrations for “Wall Packs” have been shown and are not considered to be part of this approval.
4. That the secondary building entrance be more prominent with details to be approved by staff.
5. That an additional unit-entrance be provided on the north wing of the building.
6. That brick be extended to the top of the fifth story on all building sides.
7. That details of the side elevations (facing the mid-building break) be provided for staff approval.

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

8. The proposed new building will cross underlying platted lot lines. Current State building code and City building inspection require the underlying platted lot line be dissolved by Certified Survey Map (CSM) prior to issuance of a building permit. A CSM shall be prepared and submitted to the City of Madison Planning Department. The CSM shall be approved by the City and recorded with the Dane County Register of Deeds prior to issuance of a building permit.

9. There is an access along the southeast side of this proposed project that is shared with 15 North Webster. This easement shall be amended or released by a recorded document. If the easement is amended, it shall be shown along with recording information on the site plan and required Certified Survey Map. If the easement is released, the recorded release document shall be noted in the title report required with the Certified Survey Map application.
 10. Overhead utilities cross portions of this site. All existing easements of record for utilities crossing this site shall be noted on the site plan and required Certified Survey Map. If none exist, easements shall be granted for the applicable utilities, recorded and shown and noted on the site plan and required Certified Survey Map.
 11. The final site plans shall contain all the lot line and easement information to match the proposed Certified Survey Map.
 12. The address of the proposed apartment building is 27 N Webster St.
 13. The Applicant shall coordinate with City Engineering and City Traffic Engineering to provide a permanent limited easement for sidewalk purposes on the Certified Survey Map.
 14. The Applicant shall provide an approximately 3ft wide permanent limited easement along Webster Street to allow for the construction of an 8ft wide sidewalk, as required by the City Engineer.
 15. The Applicant shall show which trees are to be removed to provide for fire protection and also as anticipated for the construction of the project.
 16. Any non-standard improvements in the right of way will require a maintenance agreement. This would include the plantings as proposed on both N. Webster and E. Mifflin Street. Alternatively, revise the plans to remove the plantings and show the terraces as grass.
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17. 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)
 18. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
 19. 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.
 20. Submit a PDF of all floor plans to 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.

21. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
22. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass. (POLICY)
23. 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))
24. 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)
25. 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. (POLICY)
26. The Applicant shall provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system. (POLICY)
27. 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)
28. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl, of the City Parks Department - dkahl@cityofmadison.com or 266-4816. Approval and permitting of any tree removal or replacement shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan. (POLICY)
29. All damage to the pavement on N. Webster Street and E. Mifflin Street, 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)
30. 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
31. 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.

32. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to a) Reduce TSS off of the proposed development by 80% when compared with the existing site and b) 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 Chapter 37 of the Madison General Ordinances.
33. 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. (POLICY)
34. 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, and all other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred 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. (POLICY and MGO 37.09(2) & 37.05(4))

35. 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, and g) detail drawings associated with stormwater management facilities (including if applicable planting plans).
36. 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... and d) Sediment loading calculations.
37. 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>
38. 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))

39. 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 Division (Contact Eric Halvorson, 266-6572)

40. Modify underground parking structure to improve internal circulation; specifically look at the entrance to the parking structure off of E Mifflin St where the current configuration will cause conflicts between ingress and egressing vehicles.
41. Parking Utility shall be compensated for the permanent loss of two parking spaces on Mifflin St. in the amount of \$79,100.00 paid to the Parking Utility.
42. This Development not eligible for residential parking program.

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

Zoning Administrator (Contact Pat Anderson, 266-5978)

47. Sec. 28.185 (7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Mr. George Dreckmann. (608-267-2626).
48. Sec. 28.185 (10) Every person who is required to submit a reuse and recycling plan pursuant to Sec. 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
49. Provide a minimum of 54 bike parking spaces (1 per dwelling unit plus one visitor space per 5 required spaces) distributed across the site, both interior of the building and surface locations near entrances. Visitor stalls shall be surface stalls. Work with zoning staff to locate these facilities. Call out and dimension bike stalls. Bike stalls shall be (2) feet by (6) feet and a (5) foot clear access aisle. Provide details of bike rack to be

installed. There are various locations in the submitted plans where the dimensional requirements are not being met.

50. 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.
51. Parking requirements for persons with disabilities must comply with City of Madison Provide the minimum accessible stalls underground and surface accessible stalls with one being van accessible. General Ordinances Section 28.14 (4) (e) includes all applicable State accessible requirements.
52. Exterior lighting provided shall be in accordance with City of Madison General Ordinances Section 10.085. Provide an exterior lighting plan and fixture cut sheets, with the final plan submittal.
53. Useable open space shall be called out and shown on final plans. Sec. 28.076 (3) (c) provides that useable open space may take the form of at-grade open space, porches, balconies, roof decks, green roofs or other above-ground amenities. UMX requires 10 sq. ft. per bedroom, of the total amount 75% may be on roof decks and balconies and a minimum of 25% at ground level pursuant to sec. 28.140. Call out and dimension UOS on final plans.
54. Provide details and analysis that the project meets the design standards of subject to Section 28.071 (3). Including but not limited to percentage of openings as required in 28.071(3)(e), full color elevations including building materials subject to table 28E-1.
55. Provide matching plans including revised civil plans and site plan showing foundation walls and setbacks on final plan sets.
56. Screening along district boundaries is not being provided, however can be waived by the Plan Commission as part of the Conditional Use approval pursuant to Section 28142 (8).
57. Provide details of the retaining wall along the NE property line
58. Provide building elevations including a detailed cross section of floor to ceiling heights.
59. Combine the lots to legally make one lot via a Certified Survey Map. A property line cannot go through a building without a fire wall down the lot line pursuant to Section 705.1.1 of the International Building Code. CSM shall be approved before sign off of final plans.

Fire Department (Contact Bill Sullivan, 261-9658)

60. 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.
 - b. IFC 503 Appendix D105, 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 and not closer than 15 feet from the structure, and parallel to one entire side of the structure, if any part of the building is over 30 feet in height.
61. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Capt Tim Mrowiec (608) 206-7534.

62. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

Parks Division (Contact Kay Rutledge, 266-4714) Note- Comments were not revised based on the revised submittal.

63. The developer shall pay approximately \$100,564.76 for park dedication and development fees for the new 58 MF units after a credit is given for the 4 duplex units and the 9 MF units that currently exist on these properties.

64. The developer must select a method for payment of park fees before signoff on the demolition, preliminary plat and rezoning.

65. This development is within the Tenney-Law-James Madison park impact fee district (SI26). Please reference ID# 13162 when contacting Parks about this project.

66. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Please submit an existing inventory of trees (location, species, & DBH) and a tree removal plan (in PDF format) to Dean Kahl – dkahl@cityofmadison.com or 266-4816. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.

67. 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 tree planting plan (in PDF format) to Dean Kahl – 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>

68. This development is within the Vilas-Brittingham park impact fee district (SI27). Please reference ID# 13145 when contacting Parks about this project.

69. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Please submit an existing inventory of trees (location, species, & DBH) and a tree removal plan (in PDF format) to Dean Kahl – dkahl@cityofmadison.com or 266-4816. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.

70. The applicant shall provide a detailed site grading plan with all proposed contours for review prior to the final approval of the project; this property is adjacent to Morrison Park.

71. Pruning of trees or shrubs on City property is not permitted without prior written approval from City Forestry.

72. Earthwork or excavation within 5 feet of any tree on City property is not permitted without prior written approval from City Parks.

Water Utility (Contact Dennis Cawley, 261-9243)

73. The Madison Water Utility shall be notified to remove the water meter prior to demolition. 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 Water Utility will not need to sign off the final plans, and will not need a copy of the approved plans.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not provide comments for this request.