



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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May 11, 2022

Kevin Burow
Knothe & Bruce Architects, LLC
7601 University Ave
Middleton, WI 53562

RE: Legistar #69790 & 70655; Accela 'LNDUSE-2022-00014' -- Approval of a Planned Development-General Development Plan-Specific Implementation Plan zoning map amendment at 700-740 Regent Street

Dear Kevin Burow:

At its April 25 meeting, the Plan Commission, meeting in regular session, found the standards met and approved the demolition permit for a place of worship at **2165 Linden Avenue**. At its May 10 meeting, the Common Council, meeting in regular session, found the standards met and approved your request for a zoning map amendment changing the zoning from TR-V1 to PD-GDP-SIP and a lot created via a related CSM to construct a three-story 32-unit residential building. In order to receive final approval for the proposal and for any other permits that may need to be issued for your project, the following conditions shall be met:

Please contact my office at (608) 243-0455 if you have any questions regarding the following two (2) items, including item 2, which was added by the Plan Commission:

1. The Planned Development-General Development Plan- Specific Implementation Plan shall not be recorded and building permits shall not be issued until the Urban Design Commission grants final approval and determines that the standards for Planned Development design objectives listed in Sections 28.098(1) and (2) and other requirements of the Sections 28.098(1) and (2) have been met. The applicant may appeal the Urban Design Commission's decision to the Plan Commission, which may affirm, reverse, or modify the Urban Design Commission's decision. As recommended by the UDC, the following items shall be addressed as part of final approval:
 - a. That final approval plans include details and refinement of the façade composition and materials.
 - b. That final approval plans provide additional information and commitments regarding sustainability
2. That the applicant obtain Passive House Design Certification prior to final sign-off, with review and approval of Design Certification materials and award by the Director of Building Inspection..

Please contact Jenny Kirchgatter, Assistant Zoning Administrator at (608) 266-4429 if you have any questions regarding the following nine (9) items:

3. Section 28.185(9) requires that every applicant for a demolition or removal approval that requires approval by the Plan Commission is required to get a Reuse and Recycling Plan approved by the City Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
4. Work with Zoning and Planning staff to finalize the Zoning text for the proposed project.
5. Provide electric vehicle stalls per Section 28.141(8)(e) *Electric Vehicle Charging Station Requirements*. A minimum of 10% of the residential parking stalls (4 stalls) must be electric vehicle ready, and a minimum of 2% of the stalls (1 stalls) must be electric vehicle installed. Identify the locations of the electric vehicle ready and installed stalls on the plans.
6. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
7. Submit details for the third floor green roof areas.
8. Submit a rooftop plan showing the location of any proposed rooftop mechanical equipment and screening. All rooftop and ground level mechanical equipment and utilities shall be fully screened from view from any street or residential district per Section 28.142(9)(d). Provide a section and details if a screening enclosure is proposed.
9. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first sixty (60) feet from grade are comprised of less than fifty percent (50%) glass, at least eighty-five percent (85%) of the glass on glass areas fifty (50) square feet or over must be treated. Of all glass areas over fifty (50) square feet, any glass within fifteen (15) feet of a building corner must be treated. Identify which glass areas are 50 sq. ft. or greater and which glass areas will be treated. Provide a detail of the specific treatment that will be used.
10. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
11. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Please contact Brenda Stanley of the City Engineering Division at (608) 261-9127 if you have any questions regarding the following twelve (12) items:

12. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
13. Construct sidewalk, terrace, curb & gutter & pavement along Dunning/Linden/Division to a plan as approved by City Engineer
14. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
15. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
16. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
17. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
18. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line: <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm>. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or CARPC is required for this project to proceed.
19. Revise the site plan to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)
20. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used. (POLICY AND MGO 10.29)
21. Revise plan set to show more information on proposed drainage for the site. Use either spot elevations and drainage arrows or proposed contours to show the required drainage information. 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)

22. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 100-yr design storm that is current in Madison General Ordinance Chapter 37. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin P.E. or licensed Plumber that show this requirement has been met.
23. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.
The Storm Water Management Plan & Report shall include compliance with the following:
Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.
Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))
Rate Control: Reduce peak discharge rate by 15% compared to existing conditions during the 10-year storm event.
TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.
Volume Control: Provide onsite volumetric control reducing the total peak discharge from the site by 5% compared to existing conditions during the 10-year event.

Please contact Jeff Quamme of the City Engineering Division Mapping Section at (608) 266-4097 if you have any questions regarding the following four (4) items:

24. The required additional 3 feet of street dedication adjacent to Division Street shall be provided on the pending Certified Survey Map.
25. The address of the proposed apartments is 252 Dunning St. 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.
26. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction or early start permit.
27. Submit a site plan and complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate

sheet/page for the development of a complete interior addressing plan. Also, include a unit matrix for apartment buildings. The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) PRIOR to the verification submittal stage of this LNDUSE with Zoning. The final approved Addressing Plan shall be included in said application. For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved. For any changes or updates, the final approved Addressing Plan shall be submitted by the applicant to Zoning.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following sixteen (16) items:

28. The applicant shall provide a detailed operation plan for the proposed stacked parking to be approved by City Traffic Engineer.
29. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
30. 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.
31. 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.
32. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
33. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
34. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.
35. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at

Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.

36. The applicant shall provide a clearly defined 5' walkway from the front door to the public Right of Way clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
37. The driveway slope to the underground parking is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.
38. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
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. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
41. The applicant shall prepare a TDMP (Traffic Demand Management Plan) to be reviewed and approved by the City Traffic Engineer. MGO (28.183(6)(a)(6)
42. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.
43. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along Division Street.

Please contact Kate Kane of the Parks Division at (608) 261-9671 if you have any questions regarding the following one (1) item:

44. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the East Park-Infrastructure Impact Fee district. Please reference ID# 22002 when contacting Parks about this project

Please contact Brad Hofmann of the Forestry Section at (608) 267-4908 if you have any questions regarding the following ten (10) items:

45. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apparatus and street tree plan sets. The inventory

shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.

46. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the street tree plan set.
47. Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at (608) 266-4816. Penalties and remediation shall be required. Add as a note on the site, grading, utility, demolition, and street tree plan set.
48. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry at (608) 266-4816 prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website:
<https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the site, grading, utility, demolition and street tree plan sets.
49. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction (website:
<https://www.cityofmadison.com/business/pw/specs.cfm>) addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on both the site and street tree plan sets.
50. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on both the site and street tree plan sets.
51. Street tree pruning shall be coordinated with City Forestry at a minimum of two weeks prior to the start of construction for this project. Contact City Forestry at (608)266-4816. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on both the site and street plan sets.

52. The Developer shall submit a Street Tree Report performed by International Society of Arboriculture Certified Arborist prior to the Plan Commission meeting for City Forestry's review of project. This report shall identify all street trees on proposed project site, species type, canopy spread, tree condition, proposed tree removals, the impacts of proposed construction, and any requested pruning.
53. The Developer shall post a security deposit prior to the start of the development to be collected by City Engineering as part of the Developers Agreement. In the event that street trees are damaged during the construction process, City Forestry will draw from this deposit for damages incurred.
54. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan and street tree planting plan shall be submitted in PDF format to City Forestry for approval of planting locations within the right of way and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note on both the landscape and street tree plan sets: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.

Please contact Jeff Belshaw of the Water Utility at (608) 261-9835 if you have any questions regarding the following two (2) items:

55. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.
56. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

Please contact Tim Sobota of Metro Transit at (608) 261-4289 if you have any questions regarding the following one (1) item:

57. Metro Transit operates daily all-day transit service along Atwood Avenue south of this property at Division Street - with trips at least every 30 minutes.

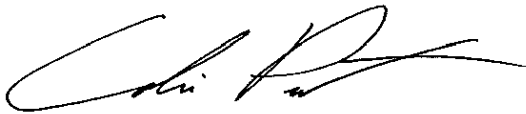
Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

Please now follow the procedures listed below for obtaining your final approval:

1. After the plans have been revised per the above conditions, please **one (1) complete digital plan set in PDF format** of complete, fully dimensioned, and to-scale plans; the appropriate site plan review application and [site plan review fee pursuant to Section 28.206](#) of the Zoning Code; and any other documentation requested herein to the Zoning Administrator at zoning@cityofmadison.com. (Note that that an individual email cannot exceed 20MB and it is the responsibility of the applicant to present files in a manner that can be accepted. Please email zoning@cityofmadison.com regarding questions or if you need alternative filing options. The check for the **site plan review** fee shall be mailed to the City of Madison Building Inspection Division; PO Box 2984; Madison, WI 53701-2984.) The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting conditional use approval.
3. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission. Where the plans have not been altered since issuance of the demolition or removal permit and the permit has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to 24 months from the expiration date.
4. Any alteration in plans for a proposed alternative use shall require Plan Commission approval, except for minor alterations. The Zoning Administrator may issue permits for minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the City Plan Commission and the planned development district and zoning map amendment approval standards.

If you have any questions regarding obtaining your final approval or building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if I may be of any further assistance, please do not hesitate to contact my office at 243-0455.

Sincerely,



Colin Punt
Planner

- cc: Jenny Kirchgatter, Asst. Zoning Administrator
Brenda Stanley, City Engineering Division
Jeff Quamme, City Engineering Division – Mapping
Sean Malloy, Traffic Engineering Division
Kate Kane, Parks Division
Bill Sullivan, Fire Department
Jeff Belshaw, Water Utility
Brad Hoffman, Forestry Section
Tim Sobota, Metro Transit
Jessica Vaughn, UDC Secretary
Bryan Johnson, Recycling Coordinator

I hereby acknowledge that I understand and will comply with the above conditions of approval.

Signature of Applicant

Signature of Property Owner (if not the applicant)

LNDUSE-2022-00014			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Punt)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Recycling Coord. (R&R)
<input type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Water Utility
<input checked="" type="checkbox"/>	Metro Transit	<input checked="" type="checkbox"/>	Forestry