

Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

Madison Municipal Building, Suite 017 215 Martin Luther King Jr. Boulevard Madison, Wisconsin 53703 Phone: (608) 266-4635 www.cityofmadison.com

December 11, 2019

Jeff Lee Greenway Real Estate, LLC. 57 Fuller Drive Madison, WI 53704

RE: Consideration of a demolition permit to demolish an auto service station and mixed-use building; and consideration of a conditional use for a new building in the UMX District greater than twenty thousand (20,000) square feet and more than four (4) stories; to construct a new building in the Urban Mixed-Use (UMX) District to construct a six-story mixed-use building with 7,500 square feet of commercial space and 51 apartments at 636 W. Washington Avenue. (LNDUSE-2019-00110; ID 57810)

Dear Mr. Lee;

At its December 9, 2019 meeting, the Plan Commission found the standards met and **conditionally approved** the demolition permit and conditional use for 636 W. Washington Avenue. The conditions of approval in the following sections shall be satisfied prior to issuance of demolition or building permits for the project.

Please contact Timothy Troester of the City Engineering Division—Main Office at (608) 267-1995 if you have any questions regarding the following sixteen (16) items:

- 1. The proposed sanitary sewer lateral is 6" diameter while the existing sanitary sewer lateral is also 6" diameter (built in 2018) in close proximity to the proposed lateral. Applicant shall verify elevation/slope of existing lateral if existing 6" diameter lateral is to be utilized.
- 2. This site has a private drainage system and accepts some water from adjacent properties acceptance of water from adjacent properties needs to continue to be accommodated though the method of accommodation can be altered.
- 3. 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)
- 4. Construct sidewalk to a plan as approved by City Engineer
- 5. 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))

- 6. 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))
- 7. Obtain a permit to plug each existing storm sewer. This permit application is available on line at http://www.cityofmadison.com/engineering/permits.cfm. (MGO CH 37.05(7))
- 8. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
- 9. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
- 10. 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)
- 11. The proposed development proposes to construct underground parking. The applicant shall provide at a minimum of one (1) foot of rise from overflow elevation before breaking grade to the down ramp to the underground parking to protect the underground parking from inundation.
- 12. 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.
- 13. The applicant shall show storm water "overflow" paths that will safely route runoff during the 100-year 24-hour design storm when the storm sewer is at capacity. (POLICY)
- 14. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
- 15. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.

Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at https://dnr.wi.gov/topic/stormwater/publications.html

This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit. (POLICY)

This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering (608) 266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.

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.

16. 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)

TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.

Oil/Grease Control: Treat the first 1/2 inch of runoff over the proposed parking facility and/or drive up window.

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

- 17. The Applicant shall Dedicate on the face of the pending Certified Survey Map any additional Right of Way along W Washington Avenue being required by City of Madison Traffic Engineering.
- 18. Addressing plan approved 10/29/2019. Applicant will add internal addresses to permit review submittal floor plans.

The commercial base address is 622 W Washington Ave.

The apartment base address is 624 W Washington Ave.

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.

- 19. The note on C101 for the Pedestrian Ingress and Egress per Doc No. 2136358 shall be modified to note that it benefits properties at 619 and 699 W. Mifflin Street. Note this is a private non-exclusive easement and the applicant/owner is responsible to determine if the proposed Transformer, Bicycle Stalls and landscaping are permitted within the easement.
 - An amendment or release of the easement is recommended to accommodate the improvements as planned.
- 20. 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.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following seventeen (17) items:

- 21. The applicant shall be required to construct an 8' terrace and 7' sidewalk and dedicate the appropriate Right of Way for an additional 1' behind future sidewalk, if necessary.
- 22. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; 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.
- 23. 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.
- 24. 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.
- 25. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
- 26. The applicant(s) shall maintain a 5 foot wide, Americans with Disabilities Act (ADA) compliant, pedestrian walkway for the duration of the project on all street frontages classified as a collector or higher. The applicant shall also maintain a 5 foot wide bicycle lane for the duration of the project on all street frontages with existing bicycle facilities. Exceptions to this requirement may be granted by Traffic Engineering on a limited term basis if and when the applicant can show a public safety concern and they also provide a clear date when the pedestrian/bicycle facilities are to be restored. All closures shall be designed by the applicant, in accordance with the Manual on Uniform Traffic Control Devices (MUTCD), to be submitted and approved by Traffic Engineering.

- 27. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
- 28. 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.
- 29. 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.
- 30. The applicant shall provide a clearly defined 5' walkway 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.
- 31. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds four stories prior to sign-off to be reviewed and approved by Austin Scheib, ((608) 266-4766) Traffic Engineering Shop, 1120 Sayle Street). The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
- 32. 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.
- 33. "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.
- 34. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
- 35. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
- 36. Note: This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, protected walkways will be constructed and maintained as soon as possible and little to no access to the Public Right-of-Way on West Washington Avenue will be granted for construction purposes. Provide a detailed construction plan to Traffic Engineering for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff.
- 37. The applicant shall remove existing bus pads in the terrace and replace them with grass terrace.

Please contact Jenny Kirchgatter of the Zoning Division at (608) 266-4429 if you have any questions regarding the following twelve (12) items:

- 38. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com.
- 39. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
- 40. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
- 41. Provide a calculation and plan detail for lot coverage with the final submittal. The lot coverage maximum is 90%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.
- 42. Provide a calculation for useable open space and clearly show the useable open space areas on the final plans. A minimum of ten (10) sq. ft. of useable open space is required per bedroom. Usable open space may take the form of at-grade open space, porches, balconies, roof decks, green roofs or other above-ground amenities. Show the structured useable open space areas on roof decks, porches, and balconies, and identify each qualifying at-grade usable open space area.
- 43. Bicycle parking shall comply with City of Madison General Ordinances Sections 28.141(4)(g) Table 28l-3 and 28.141(11) and shall be designated as short-term or long-term bicycle parking. A minimum of 53 resident bicycle stalls are required plus a minimum of five (5) short-term guest stalls. At least 90% of required resident bicycle parking shall be designed as long-term parking. Up to twenty-five percent (25%) of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking. NOTE: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Submit a detail showing the model of bike rack to be installed.
- 44. Provide a minimum of four (4) short-term bicycle parking stalls for the commercial uses located in a convenient and visible area on a paved or pervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance. As each tenant space is leased, the entire development must reflect compliance in the required number of bicycle parking spaces, to be reviewed prior to obtaining zoning approval for each use.
- 45. 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.

- 46. Show the fifth floor step back distance on the fifth floor plan. A minimum step back of 30 feet is required above the fourth floor.
- 47. Provide details showing that the street-facing façade meets the door and window opening requirements of Section 28.071(3)(e). For street-facing facades with ground story non-residential uses, the ground story door and window openings shall comprise a minimum of fifty percent (50%) of the facade area. Upper story openings shall comprise a minimum of fifteen percent (15%) of the facade area per story.
- 48. 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.
- 49. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Please contact Bill Sullivan of the Madison Fire Department at (608) 261-9658 if you have any questions regarding the following three (3) items:

- 50. Please consider allowing the Madison Fire Department to conduct training sequences prior to demolition. Contact Division Chief Tracy Burrus of the MFD Training Division to discuss this possibility at tburrus@cityofmadison.com or (608) 266- 5959.
- 51. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances. Provide fire sprinkler protection in accordance with NFPA 13 and standpipes in accordance with NFPA 14.
- 52. Provide roof access directly from (1) of the exit stair enclosures via a ships ladder.

Please contact Adam Wiederhoeft of the Madison Water Utility at (608) 266-9121 if you have any questions regarding the following item:

53. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two working days' notice between the application submittal and the scheduled lateral connection/extension. Application materials are available on the Water Utility's Plumbers & Contractors website (https://www.cityofmadison.com/water/plumbers-contractors), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Avenue. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Please contact Sarah Lerner of the Parks Division at (608) 261-4281 if you have questions regarding the following item:

54. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the Central Park -Infrastructure Impact Fee district. Please reference ID# 19047 when contacting Parks about this project.

Please contact Brad Hofmann of the Parks Division–Forestry Section at (608) 267-4908 if you have any questions regarding the following three (3) items:

- 55. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann bhofmann@cityofmadison.com or (608) 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester prior to the approval of the site plan.
- 56. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in Section 107.13 of *City of Madison Standard Specifications for Public Works Construction*. http://www.cityofmadison.com/business/pw/documents/StdSpecs/2018/Part1.pdf. Any tree removals that are required for construction after the development plan is approved will require at least a 72-hour waiting period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.
- 57. Additional street trees are needed for this project. All street tree planting locations and tree species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brad Hofmann bhofmann@cityofmadison.com or (608) 266-4816. Tree planting specifications can be found in Section 209 of City of Madison Standard Specifications for Public Works Construction.

Please contact Janine Glaeser of the Urban Design Commission at (608) 267-8740 if you have any questions regarding the following five (5) items:

- 58. The applicant shall amend the landscape plan as follows:
 - a. Replace the annual areas shown on Plan North and Plan East with perennial plantings per the recommended list below:
 - i. Smaller ornamental grasses;
 - ii. Colored Small Dogwoods (Artic Fire);
 - iii. Smaller Hydrangeas (Little Lamb/Little Lion)
 - b. Add additional Diervilla on the far west side, it's not the greatest plant to have singles.
 - c. Assure container plantings on the roof terrace.

- 59. Expand the patio hardscape at entry areas on West Washington Avenue.
- 60. Look at the window alignments on the front and backside of the building.
- 61. Further study the material types and placements. Concerns regarding too much siding and too dark on the backside of the building.
- 62. For the next meeting, bring more renderings of the sides of the building and show material details.

Please contact my office at (608) 261-9632 if you have any questions regarding the following three (3) items:

- 63. No HVAC "wall-pack" penetrations/louvers are shown on the street-facing facade. Any HVAC penetrations in the building shall be perpendicular to the main facade, and provided within the recessed balcony spaces. Unless specifically approved by the Plan Commission, the addition of wall packs on outward-facing walls is not included in this approval and will require approval of an alteration to this conditional use should they be proposed at a later time.
- 64. The applicant shall show the elevator overrides in the elevation drawings.
- 65. Prior to final sign-off, the applicant shall receive a recommendation of final approval from the Urban Design Commission.

<u>No</u> interior, exterior or structural demolition or wrecking activities or remodeling activities (including material reclamation activities by the applicant or a third party) shall commence nor any wrecking or building permits be issued until the applicant has met all of the conditions of approval stated in this letter.

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 permits for your project:

- 1. After the plans have been revised per the above conditions, please file eleven (11) sets of complete, fully dimensioned, and to-scale plans, the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, and any other documentation requested herein with the Zoning Administrator, Room 017, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. This submittal shall all also include one (1) complete digital plan set in PDF format. 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 and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature block on last page]

3. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve 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 Plan Commission and the conditional use standards. This approval shall become null and void two (2) years after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within six (6) months of the issuance of said building permit. Where the plans have not been altered from the Plan Commission's approval, and the conditional use 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 twelve (12) months from the expiration date. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at (608) 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at (608) 261-9135.

Sincerely,

Chris Wells Planner

cc: Timothy Troester, City Engineering Division
Jeff Quamme, City Engineering Division – Mapping Section
Sean Malloy, Traffic Engineering Division
Jenny Kirchgatter, Asst. Zoning Administrator
Bill Sullivan, Madison Fire Department
Adam Wiederhoeft, Madison Water Utility
Sarah Lerner, Parks Division
Brad Hofmann, Forestry Section
Janine Glaeser, Urban Design Commission
Bryan Johnson, Streets Division

Signature of Applicant			

Signature of Property Owner (If Not Applicant)

LNDUSE-2019-00110				
For Official Use Only, Re: Final Plan Routing				
\boxtimes	Planning Div. (Wells)	\boxtimes	Engineering Mapping Sec.	
\boxtimes	Zoning Administrator	\boxtimes	Parks Division	
\boxtimes	City Engineering	\boxtimes	Urban Design Commission	
\boxtimes	Traffic Engineering (EP)	\boxtimes	Recycling Coor. (R&R)	
	Fire Department		Other: Forestry Section	
	Water Utility (EP)		Other: Metro Transit	