



Department of Planning & Development
Planning Unit

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985
TDD 608 266 4747
FAX 608 266-8739
PH 608 266-4635

March 2, 2005

James Busse
Gorman & Company
1244 South Park Street
Madison, WI 53715

SUBJECT: 800 Block East Washington Avenue

Dear Mr. Busse:

The Common Council, at its March 1, 2005 meeting, conditionally approved your application for rezoning from C3 to PUD(GDP) for property located at 802-852 East Washington Avenue, including the demolition of the buildings and billboard on this site.

The conditions of approval are:

Please contact John Leach, City Traffic Engineering, at 266-4761 if you have questions regarding the following twelve items:

1. The applicant should not rely on the removal of the public's parking to meet its fire access plan. This type of proposal cannot be sustained around the City and these area neighborhoods will continue to have a need for this valuable parking. Currently there is no plan to remove on-street parking for fire access lanes in the City. Other options will need to be explored.
2. The City of Madison radio systems has 2 microwave directional lines of sight to remove towers City-wide running along the south side of East Washington Avenue. The building elevation will not present a problem, as reviewed by Keith Lippert (266-4767), Traffic Engineering Shop, 1120 Sayle Street.
3. The attached streetlight declaration of conditions and covenant shall be executed and returned.
4. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and streetlight poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 30'.
5. The applicant shall note that Madison General Ordinance 10.08(a)6 requires all facilities to have adequate internal circulation in which no backing movement, except that required to leave a parking

stall, is allowed. All parking facilities shall be designed so as not to utilize any portion of the public right-of-way except to permit ingress and egress in a forward manner. The applicant needs to demonstrate that the location of dumpster, accommodating the truck service, that no ingress/egress backing movement is required.

6. The location of the garage doors from the property line shall be modified to accommodate type of vehicle using the ramps to the underground parking. (Examples: 35' distance for single unit truck or minimum 20' for auto not to block the public sidewalk.)
7. The ramp down to the underground parking and its percent of slope is questionable and shall be designed to accommodate low-clearance vehicles for a transition. The ramp breakover angle (limited by vehicle wheel-base and ground clearance) and angles of approach (affected by front overhang of vehicles) and departure (affected by rear overhang) are critical vehicle clearance points. Standards established by the Society of Automotive Engineers limit the ramp breakover angle to no less than 10 degrees; angle of departure, no less than 10 degrees; and angle of approach, no less than 15 degrees. The applicant shall provide a profile of the ramp showing the slopes critical clearance, when plans are submitted for approval. The applicant should explore ramp slopes (grades) less than 10% that can be blended satisfactorily with an 8-foot transition length. In addition, the applicant shall demonstrate on the plan that vehicles turning ingressing and egressing the ramp can be accommodated in the tight area without encroaching onto adjacent properties.
8. "Stop" signs shall be installed at a height of seven (7) feet at all driveway approaches behind the property line and noted on the plan. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
9. The intersection shall be so designed so as not to violate the City's sight-triangle preservation requirement which states that on a corner lot no structure, screening or embankment of any kind shall be erected, placed, maintained or grown between the heights of 30 inches and 10-feet above the curb level or its equivalent within the triangle space formed by the two intersecting street lines or their projections and a line joining points on such street lines located a minimum of 25-feet from the street intersection in order to provide adequate vehicular vision clearance.
10. The applicant shall design the surface parking areas for stalls and backing up according to Figures II of the ordinance using the 9-foot or wider stall for the commercial/retail area. The "One Size Fits All" stall used for the residential parking area and in the ramp only, which is a stall 8'-9" in width by 17'-0" in length with a 23'-0" backup. Aisles, ramps, columns, offices or work areas are to be excluded from these rectangular areas, when designing underground parking areas.
11. The developer shall post a deposit or reimburse the City for all costs associated with any modifications to Street Lighting, Signing and Pavement Marking including labor and materials for both temporary and permanent installations.
12. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact Gary Dallmann, City Engineering, at 266-4751 if you have questions regarding the following twenty-four items:

13. Stormwater management for this site includes oil and grease control and 40% sediment control off the new parking areas.

14. The East Washington corridor from Blount Street to the Yahara River has experienced significant flooding in the past. This flooding is primarily due to the area being very low in relationship to the summer lake level and the storm sewer system serving the area being fully to partially submerged during the summer months. As part of the East Washington street reconstruction in 2004, the storm sewer system was significantly upgraded; however, this upgrade will not eliminate the flooding problems due to the structure issues discussed above.

As a result of the known flooding and the risk to lives and property during a flood event, the City Engineer believes it prudent to protect the entrances to the underground areas of new buildings in this corridor to an elevation a minimum of one (1) foot above the estimated regional flood elevation. The estimated elevation of the regional flood is 6.0 (City datum) in this area.

15. Revise plan to show existing utilities and their elevations (storm and sanitary).
16. Revise plan to show how buildings D and E are to be served with sanitary sewer.
17. The applicant shall submit a check payable to MMSD (304 x \$211.80) in the amount of \$64,387.20 for the 304 additional treatment plant connection charges.
18. New address must be assigned for condo units and retail units.
19. 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.
20. The approval of this conditional use does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right-of-way including any changes requested by the 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.
21. The applicant shall replace all sidewalk and curb and gutter abutting the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
22. All work in the right-of-way shall be performed by a City licensed contractor.
23. 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.
24. The applicant shall show stormwater "overflow" paths that will safely route run-off when the storm sewer is at capacity.
25. 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.

26. This site is greater than one (1) acre, and the Developer is required by State Statute to obtain a Notice of Intent Permit (NOI) from the Wisconsin Department of Natural Resources. Contact Jim Bertolacini of the WDNR at (608) 275-3201 to discuss this requirement.
27. Prior to recording, this plat shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Contact Greg Fries at 267-1199 to discuss this requirement.
28. 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.
29. The applicant shall submit, prior to plan sign-off, digital CAD files to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital copies shall be to scale and represent final construction.

CAD submittals can be either AutoCAD (dwg), MicroStation(dgn) or Universal (dxf) formats and contain 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.)

Note: Email file transmissions preferred: lzenchenko@cityofmadison.com

30. The applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.
31. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
32. The site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right-of-way.
33. Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1) \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2) \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.
34. All outstanding Madison Metropolitan Sewerage District (MMSD) sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.
35. Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.

36. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size and alignment of the proposed service.

Please contact Kathy Voeck, the Assistant Zoning Administrator, at 266-4551 if you have questions regarding the following two items:

37. Section 28.04(24) provides that Inclusionary Zoning requirements shall be complied with as part of the approval process. Zoning staff will not record the Inclusionary Zoning plan until the SIP approval has been received. Submit to Zoning a copy of the approved plan for recording prior to Zoning sign-off on the SIP.

38. Revise the GDP zoning text to be consistent with the plans, including but not limited to the height limitation of 10 stories, total number of dwelling units, etc.

Please contact Bill Roberts or Brad Murphy of the Planning Unit staff at 266-4635 if you have questions regarding the following two items:

39. The PUD-GDP text shall be revised to indicate that the maximum height of buildings on this site shall be 10-stories, consistent with the plans presented.

40. The Common Council approved your addition to the PUD-GDP zoning text noting “The existing use of this site (including all automotive sales and service associated with Don Miller) shall be permitted until the time that this entire Planned Unit Development District General Development Plan and subsequent Specific Implementation Plan(s) are approved, recorded, and building permits are issued.”

41. All buildings on this site, including billboards, shall be removed.

Please contact Al Martin, staff to the Urban Design Commission, at 266-4635 if you have questions regarding the following three items:

42. The Urban Design Commission asked that the developer define live/work uses with the future PUD(SIP) text to be more broad and diverse.

43. The Urban Design Commission supports the desirability to create a dynamic streetscape through the site with a reduction in paved area by narrowing the private street and further study of the parallel parking configuration. The applicant and staff should coordinate efforts to achieve this goal with the Fire Department and still maintain required fire access.

44. The zoning text shall be modified to allow offices above first floor retail with the buildings fronting on East Washington Avenue.

Please contact the Madison Water Utility at 266-4651 if you have questions regarding the following two items:

45. The existing water mains and water service laterals shown in East Washington Avenue are not correct as they have been replaced as part of the recent reconstruction contract.

46. The Utility plan does not show water laterals to buildings D and E. These laterals shall be installed from East Mifflin, North Livingston or North Paterson so not to disturb the new pavement on East Washington Avenue.

Please contact Si Widstrand, City Parks Division, at 266-4711 if you have questions regarding the following four items:

47. The developer shall pay \$511,737.99 for park dedication and development fees.
48. Park Fees shall be paid prior to each SIP sign-off, or the developer may pay half the fees and provide a letter of credit for the other half.
49. The Parks staff recommends review of the Paterson Street elevations from both the street and from Breese Stevens seating as part of the SIP review.
50. Building A shall be limited to 2 stories, 26 feet, unless a partial 3rd story is specifically approved as part of the SIP review.

Please contact John Lippitt, Madison Fire Department, at 266-4484 if you have questions regarding the following four items:

51. The 26-foot fire lane includes the street parking on East Mifflin and North Paterson and possibly North Livingston Street. The 26-foot fire lanes are more than 30-feet from the building. Please contact John Lippitt at 261-9658 with any questions.
52. A fire alarm system and/or automatic fire suppression system are/may be required. Ensure contractors submit applications for work permits along with construction documents for all fire protection and/or life safety systems as specified in MGO 34.24, to the Madison Fire Department for approval prior to installation.
53. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least TWO fire hydrants. Distances are measured along the path traveled by the fire truck as the hose lays off the truck. See MGO 34.20 for additional information.
54. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows:
 - a. The site plans shall clearly identify the location of all fire lanes.
 - b. Provide an aerial apparatus access fire lane that is at least 26-feet wide, with the near edge of the fire lane within 30-feet of the structure, and parallel to one entire side of the structure.
 - c. Fire lanes shall be unobstructed; there are obstructions shown on the fire lane, remove all obstructions. Examples of obstructions, including but not limited to: parking stalls, loading zones, changes in elevation, power poles, trees, bushes, fences or posts.
 - d. Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.

Please contact Tim Sobota, Madison Metro Transit at 266-4904 if you have questions regarding the following eight items:

55. The applicant shall maintain or replace the concrete passenger boarding pad at the existing Metro bus stop on the north side of East Washington Avenue, west of Paterson Street (#1660). The concrete pad shall occupy the full distance of the terrace, measure a minimum of 6-feet in width parallel to the street, and lie flush between the sidewalk and the top of curb.

56. The applicant shall install and maintain a passenger waiting shelter on the property side of the sidewalk, adjacent the concrete passenger boarding pad.
57. The applicant shall install and maintain a trash receptacle adjacent to the shelter amenity.
58. The applicant shall maintain and protect pedestrian access to the sidewalk and this bus stop boarding area at all times during construction.
59. The applicant shall include these passenger amenities and the location of the concrete boarding pad on the final documents filed with their permit application so that Metro Transit may review and approve the design.
60. Metro Transit operates bus service along East Washington Avenue seven days a week. Metro bus stop #1660 is on the north side of Park Street, approximately 80-feet west of Paterson Street.
61. The applicant shall coordinate the selection of the passenger amenity items with the existing design specifications for East Washington Avenue. The applicant may contact Metro Transit to discuss any questions regarding size, specifications or exact placement requirements.
62. Metro Transit requests to sign and review final documents submitted for this project.

Approval of the PUD-GDP plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816. The trees shown in the street rights-of-way shall not be shown on the sign-off plan or construction plans unless they have previously been approved by the City Forester. If these are existing street trees or species and locations that have been approved by the Forester, they shall be so labeled on plans.

After the plans have been changed as per the above conditions, please file five (5) sets of the complete GDP site plans, building elevation and floor plans with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard.

The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their signature of final approval.

When these conditions have been satisfied, bring in the revised plan originals to obtain signatures on the cover sheet from the following reviewing departments: City Engineering, Traffic Engineering, Zoning and Planning. After this is accomplished, submit the final plans and documents for recording to the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard.

Upon receipt of the aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds Office. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process.

If this PUD-GDP plan is not recorded within one year of the date of approval by the Common Council, the approval shall be null and void.

No construction or alteration of the property included in this application shall be permitted until a Specific Implementation Plan (SIP) has been approved and recorded.

Within thirty (30) months of Common Council approval of the General Development Plan or within eighteen (18) months of the recording of the Specific Implementation Plan, whichever is less, the basis right of use for the areas, when in conformity with the approved Specific Implementation Plan, shall lapse and be null and void unless the project, as approved, is commenced by the issuance of a building permit. If a new building permit is required pursuant to Sec. 28.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain Specific Implementation Plan approval.

If you have any questions regarding recording this plan or obtaining permits, please call George Carran, Zoning Administrator, at 266-4551.

Sincerely,

Bill Roberts
Planner IV

c: Zoning Administrator
City Engineering
Traffic Engineering
Don Miller, 801 East Washington Avenue, Madison, WI 53703
Fire Department
Urban Design Commission (AM)
Parks Division

Planning (BR) Urban Design (AM) Traffic Engineering Metro-Transit City Engineering Fire Department Parks Division
