



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985
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November 18, 2009

Randy Bruce
Knothe and Bruce Architects
7601 University Avenue Suite 201
Middleton, Wisconsin 53562

RE: Approval to rezone the property at 1246-1252 Williamson Street and 308-310 South Baldwin Street from R4 and C2 to PUD(SIP) to allow for the construction of a mixed-use building with 2,572 square feet of ground floor commercial space and 31 residential units.

Dear Mr. Bruce:

At its November 17, 2009 meeting, the Common Council **approved** the rezoning of your client's property at 1246-1252 Williamson Street and 308-310 South Baldwin Street from R4 and C2 to PUD (SIP) subject to the following conditions of approval from reviewing agencies:

Please contact my office at 266-5974 if you have questions about the following 16 items:

1. A revised zoning text shall be prepared by the applicant and approved by staff to specify uses permitted in the commercial portion of the building, rather than referring to uses allowed in an existing zoning district.
2. Final floor plans for staff review and approval may include a greater number of units with more than one bedroom.
3. Prior to acquiring a demolition permit, the applicant shall provide proof of ownership of the four parcels involved in the proposal.
4. Prior to acquiring a demolition permit, the applicant shall provide proof of financing for the implementation of the project as proposed.
5. Final plans submitted for staff review shall include documentation on the structural and economic feasibility of incorporating a full or partial green roof and pervious pavers on all or part of the surface lot behind the building. Incorporation of these elements, upon construction or in the future, is highly encouraged where feasible.
6. Elevations and floor plans submitted by the applicant for final staff review and approval will be consistent generally, and specifically with regard to the size and location of residential balconies.
7. The applicant shall work with staff to revise the zoning text to include clarification on the intended use of open space on Lots 1, 2, and 3, and also provide a copy of residential leases outlining open space policies within the site.
8. The revised zoning text shall specify that any outdoor use accessory to the commercial space to include amplified sound or hours of operation later than 10:00 PM will require conditional use review and approval by the Plan Commission.
9. The applicant shall work with staff to revise the zoning text to include clarification on the intended use of parking areas and also provide a copy of residential leases outlining parking policies within the site. Any proposed signage for the parking areas shall be shown on final plans submitted for staff review and approval.
10. For review and approval by Planning, Historic Preservation, and Urban Design staff, the applicant shall include on final plans new bay windows on the home at 1246 Williamson Street and any other changes proposed to the existing homes.
11. Prior to recording the Planned Unit Development, the applicant shall work with staff to revise the zoning text to allow for ongoing maintenance and minor improvements to 308 South Baldwin Street and 1246 Williamson

Street (due to its location in the Third Lake Ridge Local Historic District, all exterior changes to 1246 Williamson Street will continue to be subject to review and approval by Historic Preservation staff).

12. As recommended by the Urban Design Commission, for all articulation and projections from the building, the material on the face of the projection shall be used to "return" the projection to the building.
13. No 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.
14. Signage approvals are not granted by the Plan Commission. All future signage proposed must be reviewed for compliance with Chapter 31 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.
15. That the applicant erect and maintain a solid wood fence along the portion of the surface parking lot along the property line shared with 1243 East Wilson Street according to a revised site plan approved by Planning Division staff.
16. That the windows for the first floor retail space(s) be clear vision glass and that not more than 20% of those windows be covered by advertisements, products, or coverings.

Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions about the following eight (8) items:

17. Provide a reuse/recycling plan, to be reviewed and approved by The City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permit being issued.
18. Section 28.12(12)(e) of the Madison Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
19. The final plans shall be consistent with the CSM that is in process also. The plans shall show all setbacks from proposed property lines for all three structures on the three proposed lots.
20. Meet all applicable State accessible requirements, including but not limited to:
 - a) Provide a minimum of one accessible stall striped per State requirements in the surface lot and one in the garage. A minimum of one of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent in the garage and in the surface lot.
 - b) Show signage at the head of the stalls.
 - c) Show the accessible path from the stalls to the building including ramps, curbs/wheel stops where needed to protect the path.
21. Provide 36 bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. (34 stalls for the residential component and 2 for the retail). The bike racks shall be securely anchored to the ground or building to prevent the racks from moving.

NOTE: A bike-parking stall is two feet by six feet with a five-foot access area.

22. Lighting plans are required for this project. Provide a lighting plan showing at least .25 footcandle on any surface of the lot and an average of .75 footcandles.
23. Provide floor plans and elevations of the two existing houses on proposed Lots 1 and 3.
24. Provide description and calculations of usable open space, shown on plans.

Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following 27 items:

25. Add the directional prefix of "South" to Baldwin Street on all necessary Certified Survey Map pages including the legal description.
26. Correct the typographical error contained in the "Original" Plat reference on all necessary pages.

27. Final approved addresses for resultant Lots 1, 2 and 3 will be available when the CSM is recorded and necessary for final plan submittals for approval. The final plan submittals for approval on this site shall be assigned per these approved addresses.
28. Any damage to South Baldwin Street pavement will require restoration in accordance with the City's Patching Criteria.
29. Storm calculations shall document how treating roof and not parking lot will allow the site to meet the 40% reduction in TSS compared to existing conditions.
30. 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.
31. Submit a PDF of all floor plans to Lori Zenchenko addressing@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.
32. The applicant shall Dedicate a Permanent Limited Easement for a sidewalk 2 feet wide adjacent to Williamson Street as proposed on the on the site plan.
33. The value of the sidewalk installation exceeds \$5000. The applicant shall Construct Sidewalk to a plan approved by the City Engineer along Williamson Street.
34. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
35. All work in the public right-of-way shall be performed by a City licensed contractor.
36. 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.
37. 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.
38. The City of Madison is an approved agent of the Department of Commerce. This proposal contains a commercial building and as such, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required.
39. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to control 40% TSS (20 micron particle) off of new paved surfaces. Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.
40. The applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number:
 - a) Building Footprints
 - b) Internal Walkway Areas
 - c) Internal Site Parking Areas
 - d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
 - e) Right-of-Way lines (public and private)
 - f) All Underlying Lot lines or parcel lines if unplatted

- g) Lot numbers or the words "unplatted"
- h) Lot/Plat dimensions
- i) Street names

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

NOTE: Email file transmissions preferred izenchenko@cityofmadison.com . 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.

41. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set. PDF submittals shall contain the following information:
 - a) Building footprints
 - b) Internal walkway areas
 - c) Internal site parking areas
 - d) Lot lines and right-of-way lines
 - e) Street names
 - f) Stormwater Management Facilities
 - g) Detail drawings associated with Stormwater Management Facilities (including planting plans)
42. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:
 - a) SLAMM DAT files.
 - b) RECARGA files.
 - c) TR-55/HYDROCAD/Etc
 - d) Sediment loading calculations

If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided.
43. 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.
44. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
45. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
46. 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.
47. 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.
48. Arrows shall be added to the certified survey map indicating the direction of drainage for each property line not fronting on a public street. In addition, the certified survey map shall include lot corner elevations, for all lot corners, to the nearest 0.25-foot. The following notes shall be added to the certified survey map.
 - a) Arrows indicate the direction of surface drainage swale at individual property lines. Said drainage swale shall be graded with the construction of each principal structure and maintained by the lot owner unless modified with the approval of the City Engineer. Elevations given are for property corners at ground level and shall be maintained by the lot owner.
 - b) All lots within this certified survey are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the certified survey. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway

agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the certified survey. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.

NOTE: In the event of a City of Madison Plan Commission and/or Common Council approved redivision of a previously subdivided property, the underlying public easements for drainage purposes are released and replaced by those required and created by the current approved subdivision.

49. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
50. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The applicant shall identify monument types on all PLS corners included on the Plat or CSM.

NOTE: Land tie to two PLS corners required.

51. Prior to Engineering final sign-off by main office for Certified Survey Maps (CSM), final CSM must be submitted to Engineering Division Surveyor / Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off. Electronic mail submittal of the final CSM in PDF form is preferred. Transmit to epederson@cityofmadison.com.

NOTE: Permits for Nos. 43-46 are available on line at <http://www.cityofmadison.com/engineering/permits.cfm>

Please contact John Leach, Traffic Engineering, at 267-8755 if you have any questions about the following five (5) items:

52. No residential parking permits shall be issued for 1246 to 1252 Williamson Street and 308 to 310 South Baldwin Street, as this would be consistent with other projects in the area. In addition, the applicant shall inform all tenants of this facility of the requirement in their apartment leases and note in a revised Zoning Text that no residential parking permits shall be issued. In addition, the applicant shall submit for 1246 to 1252 Williamson Street and 308 to 310 South Baldwin Street a copy of the lease noting the above condition in the lease when submitting plans for City approval. Please contact William Knobeloch or Bill Putman, Parking Utility at 266-4761 if you have questions regarding the above item.
53. When the applicant submits final plans on one contiguous plan for approval, the following shall be shown: items in the terrace as existing (e.g. signs and street light poles), type of surfaces, existing property lines, addresses, all easements, all pavement markings, building placement, 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"=20'.
54. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
55. The Developer shall post a deposit and reimburse the City for all costs associated with any modifications to Traffic Signals, Street Lighting, Signing and Pavement Marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
56. 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 Dennis Cawley, Water Utility, at 261-9243 if you have questions about the following two (2) items:

57. The Madison Water Utility shall be notified to remove the water meter prior to demolition.

58. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Please contact Tom Maglio, Parks Division at 266-6518 if you have questions about the following item:

59. The developer shall pay approximately \$58,661.90 for park dedication and development fees for the 31 new multifamily units, minus credits for the single-family home proposed for demolition.

2009 Fee Calculation

| | | |
|--|---|---------------|
| fees in lieu of dedication = (31 mf units X \$1,407.00 per unit) | = | \$43,617.00 |
| park development fees = (31 mf units X \$586.05 per unit) | = | \$18,167.55 |
| Subtotal: fees before credits | = | \$ 61,784.55 |
| credits = (1 sf unit x 3,122.65 combined fee) | = | (\$ 3,122.65) |
| Total fees | = | \$58,661.90 |

NOTE: A method for payment of park fees must be determined before signoff on the rezoning, and the total may change based on which year the fees are paid.

Please contact Scott Strassburg, Madison Fire Department at 261-9843 if you have questions about the following item.

60. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows: The site plans shall clearly identify the location of all fire lanes.

After the plans have been changed per the above conditions, please file **ten (10) sets** of the revised, complete plan set and any other documentation requested herein 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.

Building permits will not be issued until this process has been completed. No 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.

If you have any questions regarding final approval of this plan or obtaining permits, please call Pat Anderson, Assistant Zoning Administrator, at 266-4551. If I may be of any further assistance, please do not hesitate to contact me at 266-5974.

Sincerely,

Heather Stouder, AICP
 Planner

cc: Janet Dailey, City Engineering
 Pat Anderson, Zoning
 John Leach, Traffic Engineering
 Scott Strassburg, Madison Fire Department
 Al Martin, Urban Design Planner
 Tom Maglio, Parks Division

I hereby acknowledge that I understand and will comply with the above conditions of approval for this rezoning request.

Signature of Applicant

| For Official Use Only, Re: Final Plan Routing | | | |
|---|--------------------------------|-------------------------------------|-------------------------------|
| <input checked="" type="checkbox"/> | Planning Division (H. Stouder) | <input checked="" type="checkbox"/> | Recycling Coordinator (R & R) |
| <input checked="" type="checkbox"/> | Zoning Administrator | <input checked="" type="checkbox"/> | Fire Department |
| <input checked="" type="checkbox"/> | City Engineering | <input checked="" type="checkbox"/> | Urban Design Commission |
| <input checked="" type="checkbox"/> | Traffic Engineering | <input checked="" type="checkbox"/> | Parks Division |
| <input checked="" type="checkbox"/> | Engineering Mapping | <input type="checkbox"/> | Other: |