



Department of Planning & Community & Economic Development

Planning Division

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May 10, 2017

Cliff Goodhart
Eppstein Uhen Architects
309 West Johnson Street
Madison, WI 53703

RE: Legistar #46630 -- Approval of a conditional use request for a parking reduction to allow an existing building to be converted into a community center at **214 Waubesa Street**.

Dear Mr. Goodhart:

At its May 8, 2017 meeting, the Plan Commission, meeting in regular session, found the standards met and approved your client's conditional use request for a parking reduction to allow an existing building to be converted into a community center at **214 Waubesa Street**, subject to the conditions below. In order to receive final approval of the conditional use, and for any permits to be issued for your project, the following conditions shall be met:

Please contact Brenda Stanley of the City Engineering Division at 261-9127 if you have questions related to these twelve (12) items:

1. If the existing sewer lateral(s) is not going to be re-used, the site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)
2. The Applicant shall obtain a privilege in streets agreement for all project improvements on the public right of way and enter into a Lease with the City of Madison for all improvements on City owned bike path corridor. The approval of this project does not constitute or guarantee approval of any encroachments. If lands are required by the City for any purpose at any time in the future, the applicant shall, as part of the agreement, agree to remove all improvements on City property, to close up all below normal grade building openings, waterproof the building, fill the area to preexisting grade, and topsoil and seed area at the applicant's expense. In addition, the applicant shall insure that current drainage patterns along the bike path are not disturbed as a result of the project.
3. The applicant is proposing to create a forced exposure to the building on the north side and to drain that area by connecting into the existing storm sewer at its lowest possible elevation. A design such as this is problematic as it will actually backwater flood the area that is intended to be drained during any but the smallest rain events. This will result in a serious flooding situation with property damage. The applicant shall remove the storm sewer connection and shall provide a drainage plan stamped by a PE showing how this area will function during a 100-year flood event.

4. All outstanding 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))
5. Based on historical documents (WDNR records: BRRTS #03-13-001683, 2015 Phase 2 ESA), the property contains residual contaminated soils. If contaminated soil is encountered as part of this redevelopment, all WDNR and DSPS regulations must be followed for proper handling and disposal.
6. Site is adjacent to an open contaminant site, Madison Kipp Corp (BRRTS 02-13-558625). Applicant shall provide proof of coordination with the DNR project manager, Mike Schmoller (608.275.3303), to address potential vapor intrusion.
7. The approval of this zoning approval does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. (MGO 16.23(9)(d)(6))
8. The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development. (POLICY)
9. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction. (POLICY)
10. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5 and MGO 23.01)
11. All damage to the pavement on Waubesa Street and Corry Street, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)
12. The construction of this project will require that the applicant shall enter into a City / Developer agreement for the required infrastructure improvements. The applicant shall contact Brenda Stanley, bstanley@cityofmadison.com, 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. Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum. (MGO 16.23(9)c)

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have any questions regarding the following five (5) items:

13. Applicant shall provide for review a reciprocal easement /agreement including, but not limited to, vehicular access, fire access, parking, pedestrian access utilities, common areas, storm sewer and storm water drainage and that are necessary to accomplish the development as proposed. The document(s) shall then be executed and recorded and copies provided prior to final sign off.
14. The site plans shall distinctly identify and denote the parcel (proposed Certified Survey Map Lot 2) that is subject to this Conditional use.
15. A portion of the existing building(s) encroaches into the City's East Rail Corridor. Additionally, the site plans submitted contemplate the construction of private improvements within the same corridor. Any proposed improvements or any improvements to remain lying within the East Rail Corridor shall require the owner/applicant to enter into a Lease with the City of Madison. The lease document shall be coordinated with City Real Estate and City Engineering. The approval of this project does not constitute or guarantee approval of any encroachments. All conditions required by the City of Madison for the placement, maintenance and removal of any approved encroaching improvements shall be documented in the Lease Agreement.
16. There are license agreements for existing Telecommunications Systems within the City's East Rail Corridor per Document No.'s 3314871 and 4232452. Under those documents, subsequent agreements within the corridor are not to interfere with the Licensees' rights. The applicant's surveyor shall have all utilities marked, located and accurately mapped within the rail corridor adjacent to this site where improvements are proposed. Any discovered conflicts will require revisions to the plans or elimination of proposed encroachments that are in conflict. Please note Doc No. 3314871 indicates a fiber optic facility 10 feet northerly of the north line of this site. This would be within the proposed significant grade change for the proposed basement exposure.
17. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.

Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following eight (8) items, including the revision to Condition #19 made by the Plan Commission at their May 8, 2017 meeting:

18. 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, steps, ramps and doors that swing outward into walkway.
19. The applicant shall consider reorienting the building to either the parking lot or Waubesa Street. This shall be done to protect the public interest adjacent the Isthmus Bike Path for when the City decides to make public transport improvements in the corridor. This will also negate the need for the applicant to reprogram/remodel the interior of the site in the event of said improvements.

20. Items in the Right-of-Way are not approvable though site plan approval, work with City Real Estate to get a 'Privilege in Streets' permit for items in the Right-of-Way (bicycle racks, planters, etc.)
21. 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; 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.
22. 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.
23. 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.
24. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
25. The applicant shall add a note to the site plan stating, "The public Right-of-Way is the jurisdiction of City Engineering and City Traffic Engineering and may be modified at anytime and for any reason."

Please contact Jenny Kirchgatter of the Zoning Division at 266-4429 if you have any questions regarding the following nine (9) items:

26. Verify the rear yard setback distance. The rear yard setback is a minimum of 20 feet. In the case of a triangular or gore-shaped lot, a line ten (10) feet in length entirely within the lot, parallel to and most distant from the front lot line shall be considered to be the rear lot line for the purpose of determining the rear yard setback.
27. Verify the proposed building addition setback distances measured to the property lines. The proposed building addition may not encroach over the property lines.
28. Bicycle parking shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). A community center is not a listed use in Table 28I-3 Off-Street Parking Requirements. For unlisted uses, the Zoning Administrator may consider an examination of the vehicle parking, bicycle parking and loading requirements for uses most similar to the proposed use. Bicycle parking for the community center use shall be provided at a minimum of 5% of capacity of persons (27 stalls). Short-term bicycle parking stalls shall be located in a convenient and visible area on a paved or impervious 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. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.

29. A bicycle parking reduction will be required per Section 28.141(5). Submit a request for a bicycle parking reduction with the final plan submittal including information to support the argument for reducing the required number of spaces. Note that bicycle stalls which are not located on the subject property may not count toward the minimum bicycle parking requirement.
30. 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.
31. Provide a detail of the proposed green roof area.
32. Submit a detail of the trash enclosure. The trash enclosure shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet.
33. 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.
34. 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 Bill Sullivan of the Fire Department at 261-9658 if you have any questions regarding the following two (2) items:

35. Any potential fire access easements for the benefit of neighboring lots shall be documented at the site verification stage. Obtain a fire access easement with the 201 Corry Street site if you intend to use their parking lot as a fire access in order to include the fire hydrant on Corry Street.
36. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

Please contact Janet Schmidt of the Parks Department at 261-9688 if you have any questions regarding the following item:

37. 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/2013/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

Please contact Tim Sobota, Metro Transit, at 261-4289 if you have any questions regarding the following item:

38. Metro Transit provides daily bus service along Atwood Avenue, at stops in the Hudson Avenue and Elmside Boulevard intersections, approximately 1/4 mile south of the proposed development. Trips operate at least once every 30 minutes, in both directions, seven days a week.

Please contact my office at 261-9135, if you have questions regarding the following two (2) items which were added by the Plan Commission at their May 8, 2017 meeting:

39. The applicant shall work with City Staff to further explore the pedestrian space to the north of the building in order to minimize the use of the city bike path by pedestrians moving between the existing and the proposed Goodman Community Center facilities.

40. The applicant shall place on file their shared parking written agreements with St. Bernard's Catholic Church and Madison-Kipp Corporation.

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 conditional use:

1. Please revise your plans per the above conditions and submit **eight (8) copies** of a complete, fully dimensioned and scaled plan set to the Zoning Administrator for final review and comment. Also be sure to include any additional materials requested by these departments for their approval prior to sign off. The final site plan shall be accompanied by 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, 126 S. Hamilton Street. This submittal shall all also include one complete digital plan set in PDF format. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their final approval.
2. This property is not in a wellhead protection district. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.
3. 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.
4. The approval is valid for one (1) year from the date of the Plan Commission approval. During this time, the applicant must either lawfully commence the use or obtain a building permit and begin erecting the building. If the applicant obtains a valid building permit, construction must commence within six (6) months of the date of issuance. The building permit shall not be renewed unless construction has commenced as is being diligently prosecuted.
5. 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 conditional use approval standards.

6. The Plan Commission retains continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses.

If you have any questions regarding obtaining your conditional use 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 261-9135.

Sincerely,



Chris Wells
Planner

I hereby acknowledge that I understand and will comply with the above conditions of approval for the conditional use permit.

Signature of Applicant

Signature of Property Owner (if not the applicant)

cc: Brenda Stanley, City Engineering
Jeff Quamme, Engineering Mapping
Eric Halvorson, Traffic Engineering
Jenny Kirchgatter, Zoning
Bill Sullivan, Fire Department
Janet Schmidt, Parks Department
Tim Sobota, Metro Transit
John Sapp, City Engineering

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Wells)	<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 type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Metro Transit