



Department of Planning & Development
Planning Unit

Website: www.cityofmadison.com

Madison Municipal Building
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July 24, 2006

Madison Plaza Joint Venture LLP
Joe Krupp
2020 Eastwood Drive
Madison, WI 53704

SUBJECT: 505-550 South Midvale Boulevard

Dear Mr. Krupp:

The Common Council, at its July 18, 2006 meeting, conditionally approved your application for rezoning from C1 to PUD(GDP-SIP) for property located at 505-550 South Midvale Boulevard. The approval includes the demolition of the buildings on this site.

The conditions of approval are:

The Common Council added the following specific conditions of approval at their July 18, 2006 meeting.

1. The Traffic Engineer shall review the access to the underground ramp and determine if the light spillage into adjoining properties is minimized to the extent possible.
2. A traffic management plan shall address neighborhood impacts emphasizing local streets, shall be submitted for approval of the Planning Unit Director following a recommendation from the Traffic Engineer.
3. The applicant shall return to the Urban Design Commission and receive "final approval" by the Urban Design Commission, prior to recording the Planned Unit Development. Outstanding issues include updated building elevations; architecture; storm water management and landscape plans; and driveway and garage entrances / exits and screening, which must be approved by the Traffic Engineer.

The Plan Commission added the following specific conditions at their June 19, 2006 meeting.

4. Approval of the residential garage entrance onto Caromar Drive for the Phase 2 building shall be determined at the time the developer requests Specific Implementation Plan approval for that building.
5. A raised sidewalk shall be provided along the spine road between the Phase 1 and Phase 2 buildings.

6. The developer shall pay \$15,000 for traffic calming along Caromar Drive.
7. A “reasonable amount” of three-bedroom apartments shall be provided in the Phase 2 building.
8. The use of the ground floor facing Midvale Boulevard in the Phase 2 building shall be determined at the time the developer requests Specific Implementation Plan approval for that building.
9. The Inclusionary Dwelling Unit Plan for this project must come back before the Plan Commission for final approval, with the dispersion of units on the fourth floor to be discussed at that time.
10. The PUD shall be revised to acknowledge that “two-bedroom plus den” units can be used as three-bedroom units.

PLEASE CONTACT JOHN LEACH, CITY TRAFFIC ENGINEERING, AT 266-4761 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING THIRTEEN ITEMS:

11. The final results of the developer’s traffic impact study shall be reviewed and approved by the Traffic Engineer prior to final sign-off on the first SIP.
12. Approval of this facility does not include the approval of the proposed improvements in the street right-of-way. The applicant should remove all proposed improvements in the right-of-way on the site plan sheets or note: “All right-of-way improvements require separate approval by the Board of Public Works and Common Council for the public right-of-way changes to be requested by the developer.”
13. Any changes to on-street parking on public streets is reviewed and approved by a separate, independent process with the Traffic Engineer.
14. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light 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” = 20’.
15. “Stop” and “No Left Turns” signs shall be installed at a height of six (6) feet to the bottom of the first sign at the driveway approach to Midvale Boulevard and a “Stop” sign shall be installed at a height of seven (7) feet at the Caromar Drive driveway approach. 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.
16. 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.
17. The applicant shall design the Phase 1 and 2 underground parking areas for stalls. 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 underground parking areas, which is a stall 8’-9” in width by 17’-0” in length with a 23’-0” backup. Aisles, ramps, columns, street light poles, offices or work areas are to be excluded from these rectangular areas, when designing the surface parking areas.

18. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
19. The applicant shall relocate the Owen Drive and Caromar Drive driveway approach to center onto Owen Drive where as the public crosswalk shall not be terminate in the proposed driveway approach for both sides of South Owen Drive in accordance to Madison General Ordinance 10.08(4)(d). Vehicles ingressing and egressing the site will occur at the intersection.
20. The applicant shall modify all driveway approaches according to the design criteria for a “Class III” driveway in accordance to Madison General Ordinance Section 10.08(4). The proposed thirty (30) foot width for the driveway approach, with 5-foot flares and sidewalk across the approaches. This change shall be revised on the plan.
21. 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-based 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 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 ramp to underground parking percent of sloped shall be designed to accommodate low-clearance vehicles for a transition. The applicant shall provide a profile of the ramp showing the slopes critical clearance, when plans are submitted for approval.
22. 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.
23. 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 JANET GEBERT, CITY ENGINEERING, AT 261-9668 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING EIGHTEEN ITEMS:

24. Each lot shall be served by a separate sanitary sewer lateral.
25. Revise plans to show where existing and proposed private storm sewers drain to.
26. 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.

27. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
28. 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.
29. 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.
30. 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.
31. All work in the public right-of-way shall be performed by a City licensed contractor.
32. 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.
33. 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.
34. Prior to recording, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
 - a. Control 40% TSS (20 micron particle).
 - b. Provide oil and grease control from the first ½” of runoff from parking areas.

Stormwater management plans shall be submitted and approved by City Engineering prior to sign-off.

35. 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.)
- e. Right-of-Way lines (public and private)
- f. Lot lines
- g. Lot numbers
- h. Lot/Plat dimensions
- i. Street names

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

36. 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 if applicable, planting plans).
37. 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.

38. 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.
39. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
40. All outstanding Madison Metropolitan Sewerage District (MMSD) sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.
41. 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 EIGHT ITEMS:

42. Meet all applicable State requirements including, but not limited to:
 - a. Provide a minimum of two accessible stalls striped per State requirements in the parking garage of Phase 1 and three accessible stalls striped per State requirements in the parking garage of Phase 2. Provide four accessible stalls in the surface lot of Phase 1 and one accessible stall in the surface lot of Phase 2. A minimum of one of the stalls in each surface lot and each garage shall be a van accessible stall 8-feet wide with an 8-foot striped out area adjacent in each building. Note: Phase 2 needs a striped out area adjacent to each accessible stall.
 - b. Show signage at the head of the stalls. Accessible stalls shall be a minimum of 60" between the bottom of the sign and the ground.
 - c. Show the accessible path from the stalls to the building or elevator. The stalls shall be as near the accessible entrance (or elevator) as possible. Show ramps, curbs, or wheel stops where required.
43. Provide 2 (10' x 35') loading areas with 14' vertical clearance for Phase 1 (1 for residential use and 1 for retail use) to be shown on the plan. Provide 3 (10' x 35') loading areas for Phase 2 (2 for residential use and 1 for retail use). The loading area shall be exclusive of drive aisle and maneuvering space.
44. Provide 49 bike-parking stalls for Phase 1 and 61 bike parking stalls for Phase 2 in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. NOTE: Bike stalls shall be a minimum dimension of 6' x 2' with a 5' access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices. Note: The stalls shall be inside and outside the building divided among the residential and commercial use locations.
45. Provide a detailed landscape plan. Show species and sizes of landscape elements.
46. Parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element. Note: The required trees do not count toward the landscape point total. Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch or other non-vegetative cover. All plant materials in islands shall be protected from vehicles by concrete curbs.
47. In the zoning text under Signage, "a. Signage will be allowed per Chapter 31 of the Madison General Ordinances, as compared to the R3 District." Signage shall be approved by the Urban Design Commission and Zoning.
48. In the zoning text, include the number of dwelling units per phase.
49. Lighting is required. It must comply with City of Madison outdoor lighting standards. (See parking lot packet.) Lighting will be limited to .10 watts per square foot.

50. Put a note on the CSM that the existing buildings are to be removed.
51. Section 28.04(24) provides that Inclusionary Zoning requirements shall be complied with as part of the approval process. Submit to CDBG a copy of the approved plan for recording prior to Zoning sign-off on the plat.

PLEASE CONTACT BILL ROBERTS OF THE PLANNING UNIT STAFF AT 266-4635 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING FIVE ITEMS:

52. The second phase building will require separate review and approval as an amended PUD-SIP prior to any development proceeding on that site.
53. In the event that there may be an extended period of time as determined by the Planning Unit Director before phases one and two, the demolition permit for the shopping center will be delayed until such time that the second phase building project is approved. The provisions of this current SIP will allow the continued occupancy and maintenance of the shopping center building while Phase one is being built.
54. The applicant shall secure final approval of the Urban Design Commission prior to requesting sign-off on the Planned Unit Development documents and the start of any demolition, as noted in condition number 8, above
55. Final approval of the Inclusionary Dwelling Unit Plan for both Phases 1 and 2 and Land Use Restriction Agreement documents by CDBG staff and recording by City Zoning staff shall occur prior to issuance of the demolition permit or other permits and start of construction. (See also condition number 9, above.)
56. As required by ordinance, a recycling-reuse plan is required prior to City "sign-off" on the plan.

PLEASE CONTACT HICKORY HURIE OR BARB CONSTANS OF THE CDBG STAFF AT 267-0740 IF YOU HAVE QUESTIONS REGARDING THE REQUIREMENTS OF THE INCLUSIONARY DWELLING ORDINANCE AND THIS PROJECT.

PLEASE CONTACT AL MARTIN, STAFF TO THE URBAN DESIGN COMMISSION, AT 266-4635 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING ITEM:

57. Final approval of this proposal will be required by the Urban Design Commission or staff. (See also condition number 3, above.)

PLEASE CONTACT SI WIDSTRAND, CITY PARKS DIVISION, AT 266-4711 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING TWO ITEMS:

58. The developer shall pay \$247,386.72 for park dedication and development fees.

59. Park Fees shall be paid prior to sign-off for each SIP, or the developer may pay half the fees and provide a letter of credit for the other half. Developments with multi-phase subdivision contracts may pay with each phase. Recently enacted state law may shift the time of payment to be in conjunction with building permit issuance. Phase 1 SIP payment for 43 units = \$74,912.88

Calculation of fees in lieu of dedication plus park development fees for 142-units:

Park dedication = 142 multi-family @ 700 square feet/unit = 99,400 square feet. The developer shall pay a fee in lieu of dedication based on the land value of the square footage of parkland required (up to a maximum of \$1.74/square foot).

Estimated fee is \$172,956.00

Park Development Fees	=	(142 @ \$524.16)	=	\$74,430.72
TOTAL PARK FEES	=		=	\$247,386.72

There are no features of this development that qualify as a credit for reduction of park development fees.

PLEASE CONTACT JOHN LIPPITT, MADISON FIRE DEPARTMENT, AT 266-4484 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING THREE ITEMS:

- 60. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows:
 - a. 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.
- 61. 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 a completed MFD "Fire Apparatus and Fire Hydrant Worksheet" with the site plan submittal.
 - c. Provide a fire lane that extends to within 150-feet of all exterior portions of the structure.
- 62. All portions of the exterior walls of newly constructed 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.

PLEASE CONTACT TIM SOBOTA, MADISON METRO TRANSIT AT 266-4904 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING SEVEN ITEMS:

- 63. The applicant, in their letter of intent dated April 26, states a request for creation of on-street parking along the north side of Tokay Boulevard, east of Midvale Boulevard. This would partially conflict with the No Parking zone posted in conjunction with the existing Metro bus stop location #2540 in the area immediately east of Midvale Boulevard.

64. Metro Transit will be siting new bus stop locations on the north side of Tokay Boulevard, west of Midvale Boulevard, and on the west side of Midvale Boulevard, south of Tokay Boulevard, to accommodate new route service starting in August of this year (see attached diagram).
65. The applicant shall either purchase and transfer ownership of, or reimburse Metro Transit for the costs associated with, a concrete passenger boarding pad and bench seating amenity to be located at one of the bus stop locations serving the redevelopment parcel at the intersection of Midvale Boulevard and Tokay Boulevard. Metro Transit will determine which of the bus stops at this intersection is best suited for the placement of this amenity based upon the eventual on-street parking arrangements and transit ridership demands.
66. Metro Transit operates bus service seven days a week along Tokay Boulevard. Metro bus stop #2540 is located on the north side of Tokay Boulevard, east of Midvale Boulevard. Current frequency of this serving along Tokay Boulevard is every 30 minutes during weekday peak periods, and once an hour middays, evenings and all day on weekends and holidays.
67. Metro Transit has planned for increased service frequency, beginning in August of this year, to the corner of Midvale Boulevard and Tokay Boulevard, involving a direct connection from the Allied neighborhood to the Sequoia Library branch located on this redevelopment parcel. This service planning was partly in response to the proposed increase in both commercial and residential density of this site, and the beneficial increases in potential transit ridership stemming from this redevelopment proposal.

Approval of the SIP 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 twelve (12) sets of the complete site plans, building elevation and floor plans with the Zoning Administrator, Room LL100, 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.

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 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 Section 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 KATHY VOECK, RON TOWLE, OR MATT TUCKER, ZONING ADMINISTRATOR, AT 266-4551.

Sincerely,

SIGN - OFF

Bill Roberts
Planning & Development

c: Zoning Administrator
City Engineering
Traffic Engineering
UDC – Al Martin
Parks Division
CDBG – Hickory Hurie
Fire Department

Traffic Engineering
City Engineering
Fire Department
Zoning Administrator
Urban Design Commission (AM)
Planning (BR)
CDBG (HH)
Parks
Metro Transit
Water Utility