



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
TDD 608 266-4747
FAX 608 266-8739
PH 608 266-4635

June 7, 2010

Joey Bunbury
Gebhardt Development, LLC
222 North Street
Madison, Wisconsin 53704

RE: Approval of a request to rezone 1208-1214 Spring Street from R5 (General Residence District) to Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow demolition of three existing residential buildings and construction of an eight-story, 75-unit apartment building.

Dear Mr. Bunbury;

At its June 1, 2010 meeting, the Common Council **conditionally approved** your application to rezone 1208-1214 Spring Street from R5 to PUD-GDP-SIP to allow demolition of three existing residential buildings and construction of a 75-unit apartment building. The following conditions of approval shall be satisfied prior to final approval and recording of the planned unit development and the issuance of permits for demolition and new construction:

Please contact Janet Dailey, City Engineering Division, at 261-9688 if you have questions regarding the following twenty-two (22) items:

1. In accordance with MGO 10.34–Street Numbers: Submit a PDF of each floor plan to Lori Zenchenko in the Engineering Mapping Section (Lzenchenko@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.
2. When final site plans are approved, the GIS – Mapping Unit of the Engineering Division will require the submittal of a CAD file for this development.
3. City Engineering Division records indicate the existence of a private (University of Wisconsin-owned) 12-inch RCP storm sewer pipe draining the UW property located at 116 N. Charter Street (Lot 14, Block 11, Brook's Addition). This existing pipe alignment traverses the 1214 Spring Street property and may require relocation coordination with the UW. City Engineering recommends coordination with Gary Brown, UW Facilities & Planning (263-3023) or Tammi Alexander, UW Real Estate (263-3043). The City of Madison does not have evidence of a recorded easement granting the UW this private storm sewer facility.
4. Any relocated University of Wisconsin storm sewer shall be shown including elevations and types of pipe. An agreement shall be required detailing their rights and responsibilities for the shared storm sewer.

5. The applicant shall submit a Certified Survey Map as required collectively by the Engineering, Planning and Zoning. [Author's Note: The CSM will be required following recording of the PUD and prior to the applicant requesting a building permit for this project.]
6. A pumping plan stamped by a Professional Engineer or Master Plumber is required for the inlet serving the underground parking.
7. Prior to [final] approval, obtain permit to plug existing private storm sewer.
8. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
9. The applicant's project requires the minor restoration of the street and sidewalk. The applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees.
10. The applicant shall replace all sidewalk and curb and gutter that 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.
11. A City-licensed contractor shall perform all work in the public right of way.
12. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree-planting plan (in PDF format) to Dean Kahl, of the City Parks Division - dkahl@cityofmadison.com or 266-4816.
13. The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
14. 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.
15. For commercial sites less than 1 acre in disturbance, the City of Madison is an approved agent of the Wisconsin Department of Commerce and Department of Natural Resources. As this project is on a site with disturbance area less than 1 acre, and contains a commercial building, 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.
16. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to: control 40% TSS (20 micron particle) off of new paved surfaces, and; complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by Chapter 37 of the Madison General Ordinances.
17. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) lzenchenko@cityofmadison.com. The digital copies shall be drawn to scale and represent final construction including: building footprints, internal

walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. E-mail file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.

18. 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.
19. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
20. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
21. Prior to approval of the project, 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.
22. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering Division signoff.

Please contact John Leach, Traffic Engineering Division, at 267-8755 if you have questions about the following eight (8) items:

23. A condition of approval shall be that no residential parking permits shall be issued for 1208-1214 Spring Street, as would be consistent with other projects in the area. In addition, the applicant shall inform all tenants of this facility of the restriction in their apartment leases and record in zoning text. The applicant shall note in the Zoning Text that no residential parking permits shall be issued. In addition, the applicant shall submit a copy of the lease for the 1208-1214 Spring Street project noting the above condition in the lease when submitting plans for City approval.
24. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by the Traffic Engineer Division to accommodate the microwave sight and building. The applicant shall submit grading plans and elevations if the building exceeds four stories prior to sign-off to be reviewed and approved by Keith Lippert, (266-4767) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
25. 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, 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'.

26. The applicant shall dimension all driveway approaches that any two driveway approaches shall be at least 10 feet apart and in no case less than the sum of the approach flare. The applicant will need to show the proposed approach is a minimum of 10 feet apart from the existing easterly approach. In addition, the applicant shall modify the plan so no part of the driveway approach shall extend in front of the property belonging to a person other than the permittee unless both property owners sign a joint application for a permit or driveway radii waiver letter prior to submittal of plans for approval.
27. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
28. The applicant shall design the surface or underground parking areas for stalls and backing up according to Figures II of the ordinance using the 9' or wider stall for the commercial/retail area. The "One Size Fits All" stall shall be used for the residential parking area 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. The applicant will need to dimension the underground parking area according to MGO or use "One Size Fits All."
29. 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.
30. 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 Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following eleven (11) items:

31. There appears to be a lot line running through the proposed building. This issue will need to be resolved before any building permits are issued pursuant to these plans so that the project may comply with applicable State building codes.
32. Meet applicable building codes, including accessible requirements.
33. Submitted plan shows stacked bicycle racking that does not appear to meet minimum bicycle parking requirements. Details provided on plan set page A1.0 are not legible, but these racks do not appear to comply with Zoning Code requirements. Provide 87 bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. Note: Bike parking shall comply with MGO Section 28.11, a bike-parking stall is two feet by six feet with six feet of vertical clearance, with a five-foot access area. Please show legible details for stalls on the plan, including detailed drawings of bike racks.
34. Provide a reuse/recycling plan, to be reviewed and approved by the City Recycling Coordinator prior to a demolition permit being issued. Sec 28.12(12)(e) of the 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.

35. Some elevation details have not been included, provide detailed elevations of all four sides and a rooftop plan as part of the SIP request.
36. Parking requirements for persons with disabilities must comply with MGO Section 28.11 (3)6.(m) which includes all applicable State accessible requirements, including but not limited to:
 - a.) Provide a minimum of 1 accessible stall striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent to and on the passenger side for the surface parking.
 - b.) Show signage at the head of the stalls.
 - c.) The stalls shall be as near the elevator as possible.
37. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Section 31 and must be approved by the Urban Design Commission and Zoning Section. Sign permits must be issued by the Zoning Section of the Department of Planning and Community and Economic Development prior to sign installations.
38. If exterior lighting is provided, it must comply with MGO Section 10.085 outdoor lighting standards. Lighting will be limited to .10 watts per square foot.
39. Parking and loading shall comply with MGO Section 28.11 (4). Please revise in the body of zoning text, item G. to read: A 10'x35' loading zone will be provided as shown on the submitted plans.
40. Submitted plans show a grade patio, a fourth floor terrace and some units with balconies. These spaces may count as useable open spaces. Provide calculations showing the size of these spaces and the planned access to them, and revise the final plans to show these spaces.
41. Moped parking is proposed, but detail is not provided to describe the size of these stalls. Please show width of moped parking stalls on final plans. Note: Previous approvals for moped parking have used the following dimensions: Spaces shall be a minimum of 3 feet by 6 feet in size, with a vertical clearance of 6 feet, and with a drive aisle of 5 to 6 feet.

Please contact Kay Rutledge, Parks Division, at 266-4714 if you have any questions regarding the following two (2) items:

42. Approval of 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.
43. The developer shall pay \$91,954.32 in park dedication and development fees for 75 multi-family units, which is the remaining amount due after a credit is given for the three existing structures. The developer must select a method for payment of park fees before signoff on the rezoning. This development is located within the Vilas-Brittingham (SI27) park impact fee district.

Fees in lieu of dedication=(75 units@\$1,477)=\$110,775.00; Park development fees=(75 units@\$592.50)=\$44,437.50, for a total park impact fee before credit of \$155,212.50. Credits for existing units = \$63,258.18: 30 existing efficiency/ single-room occupancy units @ \$1,034.75 combined fee = \$31,042.50; 1 single-family residence @ \$3,242.68 combined fee, and; 14 multi-family units @ \$2,069.50 combined fee = \$28,973.00.

Please contact Scott Strassburg, Madison Fire Department, at 261-9843 if you have any questions regarding the following three (3) items:

44. Per IFC 508, where a fire command center is provided, a plan submittal of the location and accessibility shall be provided to the department for approval. Please note: A fire department permit and plan review is required of the layout of the fire command center and all features required by section IFC 508.1.4 to be contained therein and shall be submitted for approval prior to installation.
45. Provide fire apparatus access as required by IFC 503 2009 edition, MGO 34.03(17), and MGO 34.19, as follows:
 - a.) The site plans shall clearly identify the location of all fire lanes;
 - b.) IFC 503 Appendix D105, 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 and not closer than 15 feet from the structure, and parallel to one entire side of the structure, if any part of the building is over 30 feet in height;
 - c.) Provide a fire lane that extends to within 150 feet of all exterior portions of the structure, or it can be extended to within 250 feet if the building is fully sprinklered.
46. 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.

Please contact Dennis Cawley, Madison Water Utility, at 261-9243 if you have any questions regarding the following two (2) items:

47. This property is in a Wellhead Protection District. The proposed use is permitted in the district. Any proposed change in use shall be reviewed by the Water Utility General Manager or his designated representative.
48. The Madison Water Utility shall be notified to remove the water meters prior to demolition. 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 my office at 261-9632 if you have questions about the following five (5) items:

49. That the zoning text be revised per Planning Division approval prior to recording as follows:
 - a.) the list of permitted uses shall be revised to state: "Multi-family residential uses as shown on the approved plans and accessory uses directly associated with those permitted uses";
 - b.) signage for the project shall be limited to the maximum permitted in the R5 zoning district, and as approved by the Urban Design Commission and Zoning Administrator;
 - c.) all references to "as shown on submitted plans" shall be revised to "as shown on approved plans";
 - d.) building heights and floor area ratio in section D shall simply state "As shown on approved plans";
 - e.) the Statement of Purpose shall be revised to simply state: "This Planned Unit Development is proposed to facilitate construction of an 8-story, [75]-unit apartment building with [234] bedrooms as shown on the approved plans." The building area breakdown and new construction data should be removed from the zoning text and stated instead in a revised final letter of intent;
 - f.) the family definition shall be revised to state that there shall only be one tenant allowed per bedroom.

50. That the specific implementation plan be revised per Planning Division approval prior to final signoff and issuance of demolition or building permits as follows:
- a.) revise the plans to specify the total dwelling unit count and variety, number of bedrooms, total number of auto, bike and moped parking stalls;
 - b.) provide additional detail on the rooftop penthouse and terrace, including landscaping of the terrace, any interior spaces proposed, the location of the elevator access, outside dimensions, and setbacks from perimeter walls;
 - c.) revise the floorplans to identify/label the bathrooms and bedrooms in each unit and to identify the unit types be clearly labeled; all four- and five-bedroom units and at least 50% of the three-bedroom units shall have a minimum of two full bathrooms.
51. That one bike parking stall be provided for each bedroom in the development. The first 75 bike parking stalls shall be provided as required by the Section 28.11 of the Zoning Ordinance as approved by the Zoning Administrator, with the remaining 159 stalls to be provided as approved by Planning and Zoning staff.
52. No moped parking shall be allowed in the Spring Street right of way or in any yard except as shown on the approved plans.
53. That the applicant work with Planning Division staff to further improve and enhance the proposed rooftop terrace prior to final approval and construction, including opportunities to increase the size of the terrace and its programming.

The applicant is also required to satisfy the conditions of approval of the Urban Design Commission prior to the final staff approval of the project and the issuance of building permits. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions.

After the plans have been changed as per the above conditions, please file **ten (10) sets** of the final general development plan 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.

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-six (36) months of Common Council approval of the general development plan, the basic right of use for the areas, when in conformity with the approved specific implementation plan, shall lapse and be null and void unless 1) the project, as approved, is commenced by the issuance of a building permit, or 2) if an application for an extension is filed at least thirty (30) days prior to the expiration of the thirty-six (36) month period and the Plan Commission, after a public hearing pursuant to Sec. 28.12 (10)(e), determines that no changes in the surrounding area or neighborhood since approval of the general development plan render the project incompatible with current conditions and grants an extension of up to twenty-four (24) months in which to obtain a building permit. In no case

shall an extension allow a building permit to be issued more than sixty (60) months after approval of the general development plan by the Common Council. If a new building permit is required pursuant to sec. 29.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain general development plan approval and specific implementation plan approval.

If you have any questions regarding recording this plan or obtaining permits, please call Matt Tucker, Zoning Administrator, at 266-4551. If I may be of any further assistance, please do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks
Planner

- cc: Janet Dailey, City Engineering Division
John Leach, Traffic Engineering Division
Kay Rutledge, Parks Division
Scott Strassburg, Madison Fire Department
Dennis Cawley, Madison Water Utility
Pat Anderson, Asst. Zoning Administrator

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<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 checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Water Utility
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: