



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

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October 17, 2013

Steven Kieckhafer
Plunkett Raysich Architects, LLP
2310 Crossroads Drive, Suite 2000
Madison, Wisconsin 53718

RE: Approval of a demolition permit and a major amendment to the PD-SIP zoning for 105-113 S. Mills Street and 1020-1022 Mound Street to allow 5 existing residences to be demolished and a new 74-unit apartment building to be constructed (Gallina Corporation).

Dear Mr. Kieckhafer;

At its October 15, 2013 meeting, the Common Council **conditionally approved** your application to amend the Planned Development zoning for 105-113 S. Mills Street and 1020-1022 Mound Street subject to the following conditions of approval, which shall be satisfied prior to final approval and recording of the specific implementation plan and the issuance of demolition or building permits for your project:

Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following thirty-one (31) items:

1. The 5-foot wide Landscape and Driveway Easement along the northerly half of the east side of the property shall be recorded prior to building permit issuance.
2. There are two site plans on sheets 200 and C-102. Sheet C-102 contains the required information for a site plan. Sheet 200 shall reference Sheet C-102 for additional information. Also, Sheet 200 has a property boundary that does not match Sheet C-102 or the proposed CSM and shall be revised appropriately.
3. If the final design for retaining wall on the east line of the site requires any retention system that crosses onto Outlot 1, an appropriate easement for construction, maintenance and replacement of the wall system shall be recorded at the Dane County Register of Deeds prior to building permit issuance.
4. The proposed new building will cross the underlying platted lot lines. Current State building code requires that the underlying platted lot lines be dissolved by a recorded Certified Survey Map (CSM) prior to issuance of building permits.
5. The alley in the middle of Block 4 (St. James Court) has been vacated/ discontinued per Resolution 13-00597. The City Clerk is to record the resolution with the Dane County Register of Deeds. The site plan shall note the document number once recorded.

6. The applicant shall provide information on how the loading dock shall be protected from backwater flooding as it is below sidewalk grade and the storm sewer that it is being connected to can be expected to reach capacity.
7. It appears the retaining wall on the east side of the project will cut off drainage from the adjoining properties to the east. The applicant shall show how this is being accommodated.
8. The base address of the proposed apartment building is 115 S. Mills Street.
9. It should be noted that the existing sanitary sewer laterals stubbed into the property are likely to already be 6-inch diameter. The Contractor shall field verify the existing laterals.
10. 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 Engineering Division signing off on this project.
11. In accordance with 10.34 MGO, Street Numbers, submit a PDF of each floorplan to Lori Zenchenko (lzenchenko@cityofmadison.com) at Engineering-Mapping 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.
12. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
13. The approval of this development 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. 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.
14. 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.
15. The applicant shall replace all sidewalk and curb and gutter that abuts the property that 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.

16. The applicant shall provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
17. All work in the public right of way shall be performed by a City-licensed contractor.
18. 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 Parks Division (dkahl@cityofmadison.com or 266-4816). Approval and permitting of any tree removal or replacement shall be obtained from the City Forester and/or the Board of Public Works prior to final approval of the site plan.
19. All damage to the pavement on Mound, S. Mills and Milton streets adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
20. 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.
21. The applicant shall show stormwater "overflow" paths that will safely route runoff when the storm sewer is at capacity
22. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of 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.
23. For commercial sites less than one acre in disturbance, the City of Madison is an approved agent of the Department of Commerce and Wisconsin Department of Natural Resources (WDNR). As this project is on a site with disturbance area less than one 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.
24. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to: reduce TSS off of the proposed development by 80% when compared with the existing site; provide oil & grease control from the first 1/2" of runoff from parking areas, 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 MGO.
25. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the City 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.

26. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
27. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management File including: SLAMM DAT files; RECARGA files; TR-55/HYDROCAD/etc., and; 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.
28. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
29. Prior to final approval of the demolition permit, the owner shall obtain a permit to plug each existing sanitary sewer and/ or storm sewer lateral that serves a building that is proposed for demolition. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing lateral that serves a building which is proposed for demolition. For each lateral to be plugged, the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. Note: New plugging procedures and permit fees are in effect as of January 1, 2013.
30. 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 (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering signoff.
31. 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.

Please contact Scott Langer of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following seven (7) items:

32. The applicant shall relocate bollards currently shown in the public right of way along S. Mills Street onto private property behind the sidewalk.
33. Existing S. Mills Street is a No Parking area in front of the proposed development. Not providing an onsite loading area is likely to result in vehicles blocking the travel way on S. Mills Street. The applicant shall provide an onsite loading zone, possibly in the rear parking lot. Final plans when submitted for approval shall demonstrate how service vehicles (example: delivery vehicles, moving vehicles, garbage trucks, etc.) access the site without creating negative impacts to the public right of way, including blocking the sidewalk or travel lanes on S. Mills Street or Mound Street.
34. A condition of approval shall be that no residential parking permits shall be issued for the project, 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 the 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 105-113 S. Mills Street and 1020-1022 Mound Street project noting the above condition in the lease when submitting plans for City approval.

35. When the applicant submits plans for approval, the applicant shall show the following on one contiguous plan: existing items in the terrace (e.g., signs and street light poles), type of surfaces, percent of slope, existing and proposed property lines, addresses, all easements, all pavement markings, building placement, adjacent driveway approaches to lots on either side and across the street, signage, semitrailer movements and vehicle routes, dimensions of radii, aisles, driveways, parking stall dimensions including the 2 feet overhang on a scaled drawing at 1" = 20'. Contact the Traffic Engineering Division if you have questions.
36. 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/ handholes, including labor, engineering and materials for both temporary and permanent installations.
37. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.
38. 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 Engineering 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.

Please contact Pat Anderson, Assistant Zoning Administrator at 266-5974 if you have any questions regarding the following three (3) items:

39. Provide a detail of how the 20% required open space in Section 28.098 of the Zoning Code is being provided for this development.
40. Provide a reuse/recycling plan, to be reviewed and approved by the City's Recycling Coordinator, George Dreckmann, prior to a demolition permit being issued. Section 28.185(7)(a)5 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.
41. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Section 31, Sign Code prior to sign installations.

Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following two (2) items:

42. Provide fire apparatus access as required by IFC 503 2009 edition, MGO Sec. 34.503, 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.) Fire lanes shall be unobstructed; there are obstructions shown on the fire lane, remove all obstructions. Examples of obstructions: including but not limited to; parking stalls, loading zones, changes in elevation, power poles, trees, bushes, fences or posts.

43. Please consider allowing the Madison Fire Department to conduct training sequences in the buildings prior to demolition. Please contact Captain Ron Blumer of the MFD Training Division at 558-4198 to discuss this possibility.

Please contact Kay Rutledge of the Parks Division at 266-4714 if you have any questions regarding the following five (5) items:

44. The developer shall pay approximately \$174,151.60 for park dedication and development fees for the 74-unit multi-family development proposed less a credit of \$18,439.80 for the 5 existing single- or two-family residential units to be demolished and \$14,120.40 for the 6 existing or former multi-family units to be demolished. The developer must select a method for payment of park fees before signoff on the PD-GDP-SIP approval. This development is within the Vilas-Brittingham park impact fee district (SI27).

Fees in lieu of parkland dedication in 2013 are \$1,708.00 per multi-family unit. Park development fees in 2013 are \$645.40 per multi-family unit for a combined impact fee of \$2,353.40. Park impact fees are adjusted on January 1 of each calendar year, and the park impact fees due at the time of building permit issuance may be higher than the amounts stated above to reflect these annual adjustments.

45. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Please submit an existing inventory of trees (location, species, & DBH) and a tree removal plan (in PDF format) to Dean Kahl, dkahl@cityofmadison.com (266-4816). Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.

46. Additional street trees may be needed for this project. All street tree planting locations and trees species with the right of way shall be reviewed by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl, dkahl@cityofmadison.com (266-4816). Approval and permitting of tree planting shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan. Tree planting specifications can be found in Section 209 of City of Madison Standard Specifications for Public Works Construction.

47. 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.

48. 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.

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have questions regarding the following item:

49. The Madison Water Utility shall be notified to remove the water meters prior to demolition. All operating private wells shall be identified and permitted by the Madison Water Utility and all unused private wells shall be abandoned in accordance with MGO Sec. 13.21.

Please contact my office at 261-9632 if you have any questions regarding the following four (4) items, including the two conditions added by the Plan Commission (#52 & 53):

50. The development plans shall be revised for final Planning Division approval prior to recording and the issuance of building permits as follows:

- a.) Provide a detail of how the 20% required open space in Section 28.098 of the Zoning Code is being provided for this development, including all applicable yard spaces and all porches and balconies, but not including the surface parking area;
- b.) Provide bike parking for the entire development for final approval by Planning staff and the Zoning Administrator in accordance with the Zoning Code, including the minimum number of spaces required in Section 28.141(4) Table 28I-3 and the design and location requirements of Section 28.141(11);
- c.) If moped parking is proposed for the development, it shall be shown on the final plans and provided in accordance with Section 28.141(12) of the Zoning Code.

51. The zoning text shall be revised for final Planning Division approval prior to recording and the issuance of building permits as follows:

- a.) Permitted uses for this development shall be limited to Multi-family residences as shown on the approved plans and any accessory uses related thereto, including parking, storage and management offices;
- b.) The family definition for the one- and two-bedroom development shall be the same as for the TR-C3 zoning district, which would limit the occupancy of each dwelling unit to a family plus one additional roomer, or a maximum of two unrelated individuals;
- c.) Signage for the development shall be limited to the maximum permitted in the TR-V1 zoning district, and as approved by the Urban Design Commission or its secretary, and the Zoning Administrator.

52. That the applicant work with City staff on providing more convenient residential exterior bike parking and providing visitor bike parking.

53. That the applicant work with City staff to preserve the 29-inch silver maple tree located at the southeastern corner of the property.

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 permits. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

After the planned unit development has been revised per the above conditions, please file **ten (10) sets** of complete, fully dimensioned, and to-scale plans, 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, 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 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. 28.181(5), 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

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 checked="" type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other:

- cc: Janet Dailey, City Engineering Division
- Scott Langer, Traffic Engineering Division
- Dennis Cawley, Madison Water Utility
- Pat Anderson, Assistant Zoning Administrator
- Kay Rutledge, Parks Division
- Bill Sullivan, Madison Fire Department