



Department of Planning & Community & Economic Development
Planning Division

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May 20, 2009

J. Randy Bruce
Knothe & Bruce Architects, LLC
7601 University Avenue, Suite 201
Middleton, Wisconsin 53562

RE: Approval of a request to rezone 609-625 E. Gorham Street, 604-630 E. Johnson Street and 303-323 N. Blair Street from R5 (General Residence District) to Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow demolition of 11 converted multi-family residences, renovation of 8 single- and multi-family residences and construction of three apartment buildings containing 83 units. (Matty-RPG/ Stone House)

Dear Mr. Bruce;

At its May 19, 2009 meeting, the Common Council **conditionally approved** your clients' application to rezone the above mentioned properties from R5 to PUD-GDP-SIP to allow demolition of 11 residences, renovation of 8 other residences and construction of three apartment buildings containing 83 units. 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 construction:

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

1. Any damage to the pavement including damage resulting from curb replacement, will require restoration in accordance with the City's Patching Criteria.
2. Discharge from pond/bio-retention shall be discharged to E. Johnson Street storm sewer, not to curb on N. Blair Street. Extend public storm sewer as necessary to satisfy this condition.
3. Prior to approval, provide estimates of projected sewer flow to City Engineer to review. Capacity limitations may affect the ability to approve this project.
4. Submit a PDF of all floor plans to Lori Zenchenko zenchenko@cityofmadison.com so that an 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.
5. Coordinate with the City of Madison any necessary multiple ownership subdivisions of land (Subdivision Plat or Certified Survey Map) and private pedestrian access rights required based on the current scope of this development plan application.
6. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City/ Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on

this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.

7. The approval of this project 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.
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.
9. 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.
10. A City licensed contractor shall perform all work in the public right-of-way.
11. 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.
12. 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 Wisconsin Department of Natural Resources is required.
13. 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, 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 the Madison General Ordinances.
14. 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. Email 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.
15. 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).

16. 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.
17. 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.
18. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
19. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
20. 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.
21. 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.
22. 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 John Leach, Traffic Engineering Division, at 267-8755 if you have questions about the following seven items:

23. A condition of approval shall be that no residential parking permits shall be issued for 309-323 N. Blair Street, 609-625 E. Gorham Street, and 604-630 E. Johnson Street, as would be consistent with other projects in the area. In addition, the applicant shall inform all tenants of this facility of the requirement in their apartment leases and 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 for 309-323 N. Blair Street, 609-625 E. Gorham Street, and 604-630 E. Johnson Street a copy of the lease noting the above condition in the lease when submitting plans for City approval.
24. 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'.
25. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
26. The applicant shall modify the driveway approach according to the design criteria for a "Class 3" driveway in accordance to MGO Section 10.08 (4). The proposed driveway will need to be minimum of 20 feet wide.
27. 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.

28. 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.
29. 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 seven items:

30. Meet applicable building codes, including accessible requirements.
31. Provide 68 bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. Note: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices. Show the stalls on the plans.
32. 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.
33. Show addresses of tenant spaces on the building of the final site plan.
34. Meet all applicable State accessible requirements, including but not limited to:
 - a.) Provide a minimum of 3 van accessible stalls 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.
 - b.) Show signage at the head of the stalls.
 - c.) The stalls shall be as near the elevator as possible.
35. In the zoning text, revise the signage to be allowed as per Chapter 31 of the Madison General Ordinances, as compared to the R6 district. A comprehensive sign package shall be as approved by the Urban Design Commission. The Zoning Section of the Department of Planning and Community and Economic Development must issue sign permits prior to sign installations.
36. If exterior lighting is provided, it must comply with City of Madison outdoor lighting standards. Lighting will be limited to .10 watts per square foot.

Please contact Tom Maglio, Parks Division, at 266-4711 if you have questions about the following item:

37. Credits from the existing development will cover park fees for the Gorham/Blair redevelopment. For the new E. Johnson Street units, the developers shall pay \$112,338.10 in park dedication and development fees. The credits for the 17 single-family units equates to 26.6* multi-family units of new development. The developer can build up to 27 units of multi-family before paying the park fees. The entire site currently has 28 multi-family plus 18 single-family and duplex units. The redevelopment of 609-625 E. Gorham Street/ 309-323 N. Blair Street into 28 multi-family units and 1 single-family unit will use those credits, resulting in no park fee requirement. The remaining park fee credits (17sf) will be deducted from park fees for 604-630 E. Johnson Street: fees in lieu of dedication = (83 mf @ \$1407) – (17 sf @ \$2211)* = \$79,194.00 + park development fees = (83 mf @ \$586.05) – (17 sf @ \$911.65)* = \$33,144.10.

*17 @ 2,211 =37,587.00; *17 @ 911.65=15,498.05; total credits= 53,085.05 divided by 1,993.05 (combined mf fee) = 26.6 units of new mf development

The developer must select a method for payment of park fees before signoff on the SIP.

Please contact Scott Strassburg, Madison Fire Department, at 261-9843 if you have questions about the following two items:

38. 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 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, 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.
39. 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 questions about the following two items:

40. If each proposed apartment building will sit on a separate lot of record then each will need its own water service lateral.
41. The Madison Water Utility shall be notified to remove the water meters prior to demolition. The Water Utility will not need to sign off the final plans, and will not need a copy of the approved plans.

Please contact my office at 261-9632 if you have questions about the following eight items, including the four conditions added or modified by the Plan Commission and Common Council:

42. That the zoning text be revised per Planning Division approval as follows:
 - a.) the list of proposed uses shall specifically list single-family residences, two-family residences and multi-family residences as shown on the approved plans;
 - b.) that signage will also be approved by the Zoning Administrator;
 - c.) that the submittal requirements in section K be clarified to note that the specific perimeter landscaping will be planted on each site as part of individual building renovation (the landscaping of the central area and installation of walking paths will occur as part of the construction of the E. Johnson Street apartment buildings).
43. That prior to the final staff approval and recording of the planned unit development, the property owner shall record easements across the entire site establishing the location and right of use, maintenance and liability provisions for the shared walking paths, central greenspace and structured parking contained within the planned unit development. The easement documents shall be reviewed and approved by the Planning Division prior to their recording. Any future changes to the approved easements shall require approval of an alteration to the approved PUD-SIP. This declaration shall occur prior to the approval of any land division proposals or the conveyance of any portion of the site and shall run with the land in perpetuity.
44. As part of the final approval of the PUD prior to recording, the applicant shall submit a complete plan set for review that includes a final detailed landscaping plan, detailed floorplans for the three apartment buildings, four-sided elevations for each building including materials and any exposed portions of the parking structure, a fully dimensioned site plan and final grading and utility plans.
45. That the overall planned unit development receive final approval from the Urban Design Commission prior to final staff approval and recording of the PUD and the issuance of permits to begin demolition.
46. That the developers of the three apartment buildings provide proof of financing, which provides assurances that the proposed project will be completed, in a form acceptable to the Director of the Department of

Planning and Community & Economic Development prior to final approval and recording of the Planned Unit Development and issuance of any demolition or building permits. The developer for the renovation of the eight residential buildings shall provide a financing plan and assurances that the proposed project will be completed in a form acceptable to the Director of the Department of Planning and Community & Economic Development prior to final approval and recording of the Planned Unit Development and the issuance of any demolition or building permits. This plan shall include an approximate timeline for the renovation projects and shall be included in the recorded Planned Unit Development.

47. That developer of the renovated houses shall also execute a deed restriction prior to PUD recording in a form approved by the Planning Division Director that requires that any future owner(s) of the 8 parcels will be required to complete the renovation of these buildings per the provisions in the approved and recorded PUD, including the approved timeline. Any future changes to the deed restrictions, including their release following completion of a renovation, shall require approval of an alteration to the approved PUD-SIP. The review of the final renovation plans for the 8 houses on the northern half of the block shall be conducted by the Landmarks Commission or by the State Historic Preservation Office as permits are requested.
48. That the developer consult with the City Forester on a tree preservation and construction protection plan [for the site].
49. That the applicant post a sign at the exit of the parking garage cautioning drivers to watch for pedestrians and bicycles.

The applicant is also required to satisfy any 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.

A reuse and recycling plan approved by the Recycling Coordinator is required by ordinance prior to the issuance of a wrecking permit. The reuse and recycling plan shall be submitted along with the resubmittal of site plans for forwarding to the Recycling Coordinator.

After the plans have been changed as per the above conditions, please file **ten (10) sets** of the revised, complete site plans, building elevations, floor plans 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
Tom Maglio, Parks Division
Scott Strassburg, Madison Fire Department
Pat Anderson, Asst. Zoning Administrator
Dennis Cawley, Madison Water Utility
George Dreckmann, Recycling Coordinator, Streets Division

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: