



Department of Planning & Community & Economic Development

## Planning Division

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September 2, 2016

Hamid Noughani  
Assemblage Architects  
7433 Elmwood Avenue  
Middleton, Wisconsin 53562

RE: Approval of a demolition permit to allow a two-family residence at 219 W. Gilman Street to be demolished for an addition to a place of worship/ student center at 223 W. Gilman Street (Chabad Lubavitch, Inc. [LNDUSE-2016-000073])

Dear Mr. Noughani;

At its August 29, 2016, the Plan Commission found the standards met and **approved** your demolition permit for 219 W. Gilman Street to allow an addition for 223 W. Gilman. The conditions of approval in the following sections shall be satisfied prior to issuance of demolition or building permits for the project.

**Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following seven (7) items:**

1. The applicant proposes to connect to existing private (owned by the Parks Department) storm sewer to drain their site. An agreement must be reached with the Parks Department to allow this connection.
2. Prior to approval, the owner or owner's representative 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 complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees are in effect.
3. Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer.
4. 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.

5. The applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the city. The City shall approve the stone used for the exposed aggregate. The Construction Engineer shall be notified prior to beginning construction. Any work that does not match the adjacent work or which the City Construction Engineer finds is unacceptable shall be removed and replaced.
6. All work in the public right of way shall be performed by a City-licensed contractor.
7. All damage to the pavement on W. Gilman Street adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.

**Please contact Jeff Quamme of the City Engineering Division—Mapping Section at 266-4097 if you have any questions regarding the following six (6) items:**

8. This property is subject to an easement per Document No. 1847238 for emergency vehicular and pedestrian egress in favor of 222 W. Gorham Street through the middle of this site. The plan proposes to move this access further to the northeast along the northeast side of the site. The owner shall amend/restate this document and coordinate with the owner of 22 W. Gorham Street to provide the required access rights required and necessary for 222 W. Gorham Street. The document shall be executed and recorded at the Dane County Register of Deeds prior to final site plan sign off.
9. This property appears to be subject to a leased area for a trash enclosure in the southeast corner of the site in favor of 222 W. Gorham Street per Memorandum of Lease recorded as Document No. 3158415. This trash enclosure is also subject to an access easement over City of Madison parking facility lands adjacent and to the northeast of this site. Applicant shall provide documentation addressing how this enclosure is being addressed. Coordination regarding the access easement over City lands will be required due to any site changes impacting this access to the trash enclosure. Any required documents shall be recorded at the Dane County Register of Deeds prior to final site plan sign off.
10. This site is comprised of two separate tax parcels. With the proposed addition spanning both tax parcels, the applicant shall contact the City Assessor's Office and request a combine of the two parcels into one tax parcel. This request shall be completed prior to final site plan sign off. Note, the official combine is unable to occur until the 2017 tax year due to the current status of the exempt parcel and the taxable parcel. However, the request needs to be submitted at this time.
11. The plan proposes a private storm sewer over the property located at 225 W. Gilman Street. The applicant shall provide a copy of a Private Storm Sewer Easement/Agreement recorded at the Dane County Register of Deeds allowing this pipe to cross the adjacent property prior to final site plan sign off.
12. The storm sewer on this site is proposed to connect to a private storm sewer structure located on City of Madison Park lands. The private storm sewer is subject to an agreement per Document No. 5054350. If all parties approve this connection, the document shall be amended/restated by City of Madison Real Estate staff to address this change and prior to recording at the Register of Deeds prior to final site plan sign off.

13. Change the address on the title sheet to 223 West Gilman Street when submitting final plans.
14. The remodeled building and addition will require additional suite and apartment addresses. Submit a PDF of all floor plans to [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com) so that a preliminary interior addressing plan can be developed prior to plans being submitted for permit review. 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.

**Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following three (3) items:**

15. The applicant shall submit one contiguous plan for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including 2 feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
16. All parking facility design shall conform to the standards in MGO Section 10.08(6).
17. The City Traffic Engineer may require public signing and marking related to the development; the developer shall be financially responsible for such signing and marking.

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

18. Provide a site plan that shall clearly identify the location of all fire lanes at the site plan verification stage.
19. The project will require the installation of a fire alarm and a fire sprinkler system. Ensure contractors submit fire protection drawings prior to starting fire protection system work.

**Please contact Janet Schmidt of the Parks Division at 261-9688 if you have any questions regarding the following six (6) items:**

20. The applicant is proposing to connect to a private storm sewer located within Madison Park lands. The private storm sewer easement, Document No. 5054350, grants easement rights to 506 State Street, LLC. The applicant shall be required to contact the beneficiary of the easement and obtain permission to amend the existing easement with the City of Madison to allow for connection to the system. If permission is not granted the applicant shall not be allowed to convey water to this private storm sewer easement. The proposed private storm sewer connection also crosses 225 W. Gilman Street and will require a separate easement agreement with that property prior to the approval of the zoning application. If the property at 225 W. Gilman Street also contributes to the existing private storm sewer then the existing easement agreement may be required to be amended to benefit the property at 225 W. Gilman Street as well.

21. Prior to the approval to modify the existing private storm sewer easement agreement, the Applicant shall provide stormwater flow calculations that verify that the existing private storm sewer will be able to handle the additional run off being conveyed from this site.
22. No work will be allowed on City of Madison park property without approval by the Board of Park Commissioners. Approval by the Board of Park Commissioners is required prior to modifications of any existing easement agreements.
23. 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 Brian Meiller – bmeiller@cityofmadison.com or 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.
24. Additional street trees are needed for this project. All street tree planting locations and tree species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brian Meiller – bmeiller@cityofmadison.com or 266-4816. Tree planting specifications can be found in Section 209 of City of Madison Standard Specifications for Public Works Construction.
25. 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. Any tree removals that are required for construction after the development plan is approved will require at least a 72-hour waiting period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

**Please contact Adam Wiederhoeft of the Madison Water Utility at 266-9121 if you have any questions regarding the following item:**

26. The Water Utility shall be notified to remove the water meter(s) prior to demolition. All operating private wells shall be identified and permitted by the Madison Water Utility and any unused private wells shall be abandoned in accordance with MGO Section 13.21.

**Please contact Jenny Kirchgatter, Assistant Zoning Administrator at 266-6527 if you have any questions regarding the following eleven (11) items:**

27. Submit a detailed site plan including building dimensions and building distances from all lot lines. Clearly label and dimension site features including parking stalls, bicycle parking stalls, utilities, and courtyard features. Label paved areas with types of paving or materials and grass or landscaped areas.
28. Section 28.185(7)(a)5 requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson

(608-266-4682). Section 28.185(10) requires that every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5 shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.

29. Provide a calculation and plan detail for lot coverage with the final submittal. The lot coverage maximum is 90%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than 5 feet, pervious pavement, green roofs and decks.
30. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e). Final plans shall show the required van accessible stall. A van accessible stall is a minimum of 8 feet wide with an 8-foot wide striped access aisle.
31. Provide the minimum required number of bicycle parking spaces distributed as both Short-Term and Long-Term bicycle parking for the residential dwelling units and place of worship and community center, as required per Sections 28.141(4) and 28.141(11). A minimum of five resident bicycle parking spaces are required. A minimum of 90% of the resident stalls shall be designed as long-term parking. Up to twenty-five percent (25%) of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking. A minimum number of short-term bicycle stalls shall be required for the place of worship and community center equal to 1 bicycle stall per 50 seats or 75 lineal feet of seating area or 1 per 350 square feet of floor area in the main worship space. Identify and dimension the bicycle stalls, including the access aisles, on the final plans. Provide a detail of the bicycle rack design.
32. Submit a landscape plan and landscape worksheet including existing and proposed landscaping.
33. Show the trash enclosure area on the site plan. All developments, except single-family and two-family developments, shall provide a refuse disposal area. Such area shall be screened on four sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of 6 feet and not greater than 8 feet. Submit a detail of the trash enclosure.
34. Exterior lighting provided shall be in accordance with MGO Section 10.085. Provide an exterior lighting plan and fixture cut sheets with the final plan submittal.
35. Submit a rooftop plan showing the location of any proposed rooftop mechanical equipment and screening. All rooftop equipment shall be screened from view from adjacent streets and public rights-of-way per Sections 28.071(3)(h) and 28.142(9)(d). Screens shall be of durable, permanent materials that are compatible with the primary building materials.
36. Clearly identify and provide a key for the existing and proposed building materials and colors on the building elevations. Show the proposed second floor balconies consistently between the floor plans and elevations. Provide the overall building height and height of each story on the elevations.
37. Per Section 28.186(4)(b) of the Zoning Code, the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date for this project/ site.

**Please contact my office at 261-9632 if you have any questions about the following three (3) items:**

38. Prior to issuance of demolition or building permits, the applicant shall revise the final plans to clearly depict the existing limits of 223 W. Gilman Street and define and label the square-footages of all existing and new spaces. These shall include, but not be limited to, the square-footage of the existing and proposed basement; guest suite; and each apartment, as well as the approximate square-footage of the patio proposed in front of the addition and adjacent to the main entrance (for potential occupancy purposes).
39. The final plans shall be revised to clarify the height of the building by floor and at roof heights compared to the elevation of W. Gilman Street.
40. All of the building materials on both the existing and proposed portions of the building shall be labeled, and shall be consistent with the material palette in Table 28E-1 in Section 28.071(3)(f) of the Zoning Code.

**No interior, exterior or structural demolition or wrecking activities or remodeling activities (including material reclamation activities by the applicant or a third party) shall commence nor any wrecking or building permits be issued until the applicant has met all of the conditions of approval stated in this letter.**

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

**Please now follow the procedures listed below for obtaining permits for your project:**

1. After the plans have been revised per the above conditions, please file **nine (9) 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. **This submittal shall all also include one (1) complete digital plan set in PDF format.** The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval.
2. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature box on last page]
3. 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.
4. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission. Where the plans have not been altered since issuance of the demolition or removal permit and the permit has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to 24 months from the expiration date.

5. Any alteration in plans for a proposed alternative use shall require Plan Commission approval, except for minor alterations as provided below. If the Plan Commission considers an alteration, it shall approve the change(s) only if the new use is compatible with the intent and purpose of the zoning district in which the property is located, is compatible with the Comprehensive Plan and applicable neighborhood plan, and other relevant factors, including the effects of the proposed use on the normal and orderly development and improvement of surrounding properties. The Zoning Administrator may issue permits for minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the City Plan Commission and the standards for approval.

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks  
 Planner

cc: Brenda Stanley, City Engineering Division  
 Jeff Quamme, City Engineering Division–  
 Mapping Section  
 Eric Halvorson, Traffic Engineering Division  
 Jenny Kirchgatter, Asst. Zoning Admin.  
 Adam Wiederhoeft, Madison Water Utility  
 Bill Sullivan, Madison Fire Department  
 Janet Schmidt, Parks Division

I hereby acknowledge that I understand and will comply with the above conditions of approval for this project.

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*Signature of Applicant*

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*Signature of Property Owner  
 (If Not Applicant)*

<b>Accela ID: LNDUSE-2015-00037</b>			
<b>For Official Use Only, Re: Final Plan Routing</b>			
<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: