



Department of Planning & Community & Economic Development

Planning Division

Katherine Cornwell, Director

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June 23, 2015

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

RE: Approval of a rezoning of property at 1004-1032 S. Park Street from PD(GDP) (Planned Development District–General Development Plan) to PD(SIP) (Planned Development District–Specific Implementation Plan) and approval of a Specific Implementation Plan to allow construction of a mixed-use building with 6,000 square feet of commercial space, 5,000 square feet of live-work space and 164 apartments.

Dear Mr. Bruce;

At its June 16, 2015 meeting, the Common Council **conditionally approved** your client's application for PD (SIP) approval for 1004-1032 S. Park Street subject to the following conditions, which shall be satisfied prior to final approval and recording of the specific implementation plan and the issuance of permits for new construction:

Please contact my office at 261-9632 if you have any questions regarding the following items, including the conditions added by the Plan Commission on June 8, 2015 and the Common Council:

1. The final floorplans, elevations and project data tables shall clarify whether loft spaces are proposed above the fifth floor dwelling units in the northern portion of the building prior to final approval and recording of the SIP.
2. That the site plan and first floor plan sheets (C-1.1 and A-1.1, respectively) be revised to show the setbacks of the proposed building from the property lines adjacent to S. Park Street and Fish Hatchery Road at a minimum of 3 places along each frontage. The setbacks shall reflect the proposed final condition following any dedication of right of way or permanent limited easement required for implementation of the project.
3. That the applicant submit a revised zoning text for the Specific Implementation Plan to the Planning Division and Zoning for approval prior to recording and the issuance of building permits as follows:
 - 3a. that the permitted non-residential/ commercial uses for this PD-SIP be limited to those included in the approved PD-GDP zoning text unless specifically enumerated in a list submitted for approval by the Planning Division prior to final approval and recording;

- 3b. the Signage section shall be revised to limit signage for the site to the maximum permitted in the TSS zoning district, and as approved by the Urban Design Commission or its secretary, and the Zoning Administrator.
4. That the applicant provides a ride-share vehicle.
5. That the applicant installs a green roof on the townhouse portion of the development.
6. [The zoning text shall be revised to state:] That any restaurant, nightclub, brewpub, restaurant tavern, or restaurant nightclub in commercial areas be reviewed by the Plan Commission as a conditional use in order to operate after 6:00 p.m.
7. That construction laborers are encouraged to not park on streets when working on the site and that the developer attempts to work out a solution with UW Health for shared parking and explore the possibility of providing a shuttle service for construction workers during the construction of this project.
8. That the applicant works with City Engineering to maximize stormwater infiltration in the terrace to the extent practicable and permitted by the City.
9. That prior to final sign and issuance of permits, that proof of financing shall be provided for review and approval by the Director of Planning and Community and Economic Development.
10. That the applicant shall work with Traffic Engineering to increase visibility between exiting vehicles and pedestrians.
11. That the applicant shall work with Traffic Engineering on increasing the effective width of the sidewalk and the relationship on plantings and walls.
12. That there shall be no exterior facade illumination on street-facing facades above the first floor. (This does not prohibit balcony illumination or patio illumination.)
13. The development will be no more than five stories.
14. The applicant, prior to final sign off, shall enter into a developers agreement with City Engineering and City Traffic Engineering to construct a northbound left-turn lane from S. Park Street to the development at Lakeside Street. The left-turn lane shall include constructing a physical median barrier to prevent traffic from exiting from the development at this location to northbound S. Park Street or to eastbound Lakeside Street. Final design of the turn bay and median barrier will be approved by the City Traffic Engineer.

Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have any questions regarding the following thirty (30) items:

15. The site plan shall show and label all existing easements and proposed easements (including the new 3' street and utility easement along Park Street) shown on the pending Certified Survey Map.

16. The pending CSM application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in the parcel database so that the permitting system can upload this data and permit issuance made available for this new land record.
17. Street name is S. Park Street. Update all sheets as needed.
18. Building addresses to be determined after review with the Madison Fire Department.
19. Per City Contract No. 2290 for the Wingra Clinic-Bancroft Dairy Redevelopment, the existing owner had acknowledged the future need for right of way dedication on Fish Hatchery Road and Permanent Limited Easement dedication on S. Park Street. The owner chose to defer those requirements until such time as Lots 2 and 3 of CSM 13286 were developed. The applicant shall be required to dedicate 6 feet of right of way on Fish Hatchery Road to allow for an 86-foot right of way. The applicant shall be required to reconstruct the existing sidewalk on both S. Park Street and Fish Hatchery Road to allow for placement of the sidewalk within the standard locations with respect to the new right of way dedication and the proposed sidewalk permanent limited easement as shown on the CSM.
20. The applicant shall revise the sanitary sewer design to show the development connecting to the City's 12-inch sanitary sewer located on S. Park Street.
21. Per the Wisconsin Department of Natural Resources (WDNR) closure letter, the properties within this development were closed with residual soil contamination and these properties have a Cap Maintenance Plan (BRRTS #02-13-551750). The applicant shall provide proof that the WDNR has approved the changes to the cap prior to the approval of the development of the site. Submit documentation to Brynn Bemis at bbemis@cityofmadison.com or contact Brynn by phone at 267-1986 with questions or concerns.
22. 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
23. In accordance with 10.34 MGO – Street Numbers: Submit a PDF of each floor plan to Lori Zenchenko in Engineering Mapping (Lzenchenko@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.
24. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.

25. 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.
26. 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.
27. 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.
28. 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.
29. All work in the public right of way shall be performed by a City-licensed contractor.
30. 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 Department 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 the approval of the site plan
31. All damage to the pavement on S. Park Street and Fish Hatchery Road adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
32. This project falls in the Rock River TMDL Zone and is subject to increased erosion control enforcement as authorized by Resolution 14-00043 passed by the Common Council on January 21, 2014. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the Wisconsin Department Natural Resources (WDNR).
33. 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.
34. 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 5.0-tons per acre per year.

35. This site appears to disturb over 1 acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151; however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their Water Resources Application for Project Permits (WRAPP) or Notice of Intent Permit (NOI) permit process.
36. This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Inspection Division may require individual control plans and measures for each building. This project will require a concrete management plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office.
37. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to 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.
38. If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan, and recorded at the Dane County Register of Deeds.
39. 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).
40. This project appears to require construction dewatering. A dewatering plan shall be submitted to City Engineering as part of the Erosion Control Permit.
41. This project appears to require permanent dewatering. A permit to connect to the public stormwater system shall be required from City Engineering. Additionally, a permit for non-storm discharge to the storm sewer system from the Madison-Dane County Public Health Department shall be required.
42. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
43. 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.
44. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior to City Engineering sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Janet Schmidt (608-261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.

Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following fifteen (15) items:

45. The applicant shall enter into a developer's agreement to construct a left-turn lane from S. Park Street into the development opposite the northerly driveway into the site from S. Park Street.
46. The applicant shall sign and mark northerly drive onto S. Park Street to only allow right turns onto S. Park Street.
47. The applicant shall apply for a waiver of MGO 27.05(2)(bb), Vision Clearance Triangles at Intersections Corners. (No visual obstructions between the heights of 30 inches and 10 feet – 25 feet behind the property line at streets and 10 feet at driveways.) Approval or denial of the waiver shall be the determination of the City Traffic Engineer.
48. 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 Dave Nachreiner, (266-4899) 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.
49. The applicant shall prepare a Parking Management Plan for site and building operations to be reviewed and approved by the City Traffic Engineer.
50. The applicant shall submit a Commercial Delivery Plan to be reviewed and approved by the City Traffic Engineer.
51. The applicant shall submit a residential moving plan to be reviewed and approved by the City Traffic Engineer. This plan will include all parking regulations near the site as well as how a new resident may apply to receive city issued No Parking signs and Meter Hoods.
52. This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, covered sidewalks will be constructed and maintained as soon as possible and little to no access to the public right-of-way on S. Park Street and Fish Hatchery Road will be granted for construction purposes. Provide a detailed construction plan to Traffic Engineering for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff.
53. Parking ramp grades were not included in the submitted plan; depending on how the lower level parking will be managed significant changes may be required to achieve safe and orderly operation.
54. One-hundred, seventy-four (174) off-street auto parking spaces are provided for the development, which has 164 residential units. The letter of intent does not include any guarantee that a minimum of 164 spaces will be reserved at all times for the residents, and as it is likely that some of the spaces will be used for the commercial activity at this development,. Therefore, a condition of approval shall be that no residential parking permits shall be issued for 1004-1032 S. Park Street. The applicant shall inform all tenants of this restriction in their apartment leases. In addition, the applicant shall submit a copy of the lease for 1004-1032 S. Park Street noting the above condition.

55. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings 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.
56. The developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City-owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
57. 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.
58. All parking facility design shall conform to the standards in MGO Section 10.08(6).
59. Any stalls less than the standard 9 feet by 18 feet shall be signed as 'Small Car Only' and conform to the parking design standards for Small Vehicles as set forth in MGO Section 10.08.
60. "Stop" signs shall be installed at a height of 7 feet at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.

Please contact Matt Tucker, Zoning Administrator, at 266-4569 if you have questions about the following five (5) items:

61. Provide the required short-term bike parking spaces for the commercial tenants per MGO Section 28.141(11). Short-term bicycle parking spaces shall be located in a convenient and visible area within 100 feet of a principal entrance. Show the dimensions of the bike parking areas including the access aisles. A bike stall is a minimum of 2 feet by 6 feet with a 5-foot wide access aisle. Provide a detail showing the model of bike rack to be installed.
62. Submit a landscape plan stamped by the registered landscape architect. Landscape plans for zoning lots greater than 10,000 square feet in size must be prepared by a registered landscape architect.
63. Submit the roof plans with the final plan sets. Note that all rooftop mechanical equipment and utilities shall be fully screened from view from any street or residential district, as viewed from six (6) feet above ground level.
64. The plans indicate this will be a phased development. Provide a summary of the work to be completed with each phase and an anticipated completion date for each phase.
65. The Plan Commission does not grant signage approvals. Signage must be reviewed for compliance with MGO Chapter 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 four (4) items:

66. The structure shall be protected with an NFPA 13 compliant sprinkler system.
67. The Madison Fire Department is concerned with the proposed phasing plan as it will impact exiting and safety of the Phase 1 occupants.
68. Provide fire apparatus access as required by IFC 503 2012 edition, MGO Section 34.503, as follows:
The site plans shall clearly identify the location of all fire lanes.
69. Provide fire apparatus access as required by IFC 503 2012 edition, MGO Section 34.503, as follows:
MGO 34.503/IFC 503 Appendix D105, Provide an aerial apparatus access fire lane that is at least 26 feet wide, if any part of the building is over 30 feet in height. The near edge of the aerial fire lane shall be within 30 feet and not closer than 15 feet from the structure, and parallel to one entire side. The aerial fire lane shall cover not less than 25% of the building perimeter.

Please Contact Dennis Cawley of the Water Utility at 261-9243 if you have questions about the following item:

70. 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 Tim Sobota of Metro Transit at 261-4289 if you have any questions regarding the following two (2) items:

71. The applicant shall maintain or replace the existing concrete boarding pad on the west side of S. Park Street, south of Fish Hatchery Road. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review and approve the design.
72. The applicant might consider additional transit amenities on the property adjacent this bus stop zone, such as a trash receptacles or a seating amenity, in finalizing their landscape plan.

Please contact Kay Rutledge of the Parks Division at 266-4714 if you have any questions regarding the following three (3) items:

73. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development. The developer must select a method for payment of park fees before signoff on the development. This development is within the Olin-Turville park impact fee district (SI38). Please reference ID# 15122 when contacting Parks Division staff about this project.
74. Additional street trees are needed for this project. All street tree planting locations and trees species within the right of way shall be reviewed by City Forestry. Please submit a site plan (in PDF format) to Dean Kahl – dkahl@cityofmadison.com or 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*.

75. 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.

The applicant is also required to obtain final approval from the Urban Design Commission and satisfy the UDC conditions of approval 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 development has been revised per the above conditions, please file **eleven (11) 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.

1004-1032 S. Park Street
Wingra Point Phase II
June 23, 2015
Page 10

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 Schmidt, City Engineering Division
Jeff Quamme, City Engineering Division
Eric Halvorson, Traffic Engineering Division
Dennis Cawley, Madison Water Utility
Matt Tucker, Zoning Administrator
Kay Rutledge, Parks Division
Tim Sobota, Metro Transit
Bill Sullivan, Madison Fire Department

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