



Department of Planning & Community & Economic Development

## Planning Division

Katherine Cornwell, Director

Madison Municipal Building, Suite LL-100

215 Martin Luther King, Jr. Boulevard

P.O. Box 2985

Madison, Wisconsin 53701-2985

Phone: (608) 266-4635

Fax (608) 267-8739

[www.cityofmadison.com](http://www.cityofmadison.com)

May 21, 2014

David Baum  
Architecture 2000  
311 E. Chicago, Suite 310  
Milwaukee, WI 53202

RE: Approval of a rezoning from A and PD to Amended PD GDP-SIP for the demolition of an office building for the construction of Phase 3 of the All Saints Campus at 501, 509, and 517 Commerce Drive.

Dear Mr. Baum:

At its May 20, 2014 meeting, the Common Council found the standards met and **approved** your client's rezoning request at 501-517 Commerce Drive, subject to the conditions below. In order to receive final approval of the rezoning, and for any necessary permits to be issued for your project, the following conditions shall be met:

**Please contact my office at 266-5974 if you have questions regarding the following 8 items:**

1. The Zoning Text shall be revised to reflect that building setbacks will be allowed "as shown on approved plans", rather than allowing for buildings to be placed ten feet from the property lines.
2. Final plans submitted for staff review and approval shall be correctly scaled and include dimensions such as setbacks and building widths.
3. Final plans submitted for staff review and approval shall include elevation drawings with a detailed schedule of materials, including colors and window types.
4. Final plans submitted for staff review and approval shall not include any signage on the pedestrian walkway over Commerce Drive.
5. Final plans submitted for staff review and approval shall include any plans for private transit and shuttle services for residents to augment the existing Metro Transit service.
6. If the proposed building is to be phased over time, final plans submitted for staff approval and sign-off shall include an option showing the complete exterior of the Phase 1 building, including the area now assumed to connect to the other building component.
7. The final landscape plan shall include a categorized landscape schedule including "Canopy Trees", "Ornamental Trees", "Shrubs", and "Perennials".
8. Prior to submitting plans for staff review and approval, the final design approval for the proposal shall be granted by the Urban Design Commission, and all Urban Design Commission conditions shall be addressed in final plans.

**Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following 25 items:**

9. The proposed new buildings will cross underlying platted lot lines. Current fire code and City enforcement requires the underlying platted lot lines be dissolved by Certified Survey Map (CSM) prior to issuance of a building permit. The required CSM documents and required supporting information shall be prepared and submitted to the City of Madison Planning Department. The CSM shall be approved by the City and recorded with the Dane County Register of Deeds prior to issuance of a building permit.
10. The site plan and future Certified Survey Map shall include the lands acquired from the Bishop O'Connor Center.
11. The site for the future 2 Story Skilled Nursing includes lands currently within the Hillside Estates At All Saints Condominium. A Condominium Removal Instrument and associated Condominium Amendment to the existing condominium to remain shall be required to include any of these current condominium lands in the new lot. The amendment shall also remove the future expansion area that is designated over the remainder of the property to be included in the Certified Survey Map.
12. The plans propose a skywalk to connect facilities over Commerce Drive. If this connection over public right-of-way is approved by the City of Madison, the Owner(s) will be required to enter into a lease agreement drafted by the City of Madison Office of Real Estate Services permitting the construction and maintenance of the Skywalk over the public right-of-way. The lease shall be recorded with the Dane County Register of Deeds prior to issuance of a building permit.
13. The proposed 2 Story Skilled Nursing building will encroach into an existing Ped/Bike Easement per Document No. 4038324. An amendment to the easement that is drafted and approved by City of Madison staff will be required for any changes to this easement.
14. Existing internal Ingress and Egress Easements as shown on the All Saints plat and any other reciprocal easements/agreements will be required to be amended/restated as necessary to accommodate the changes proposed.
15. The applicant shall be aware that reciprocal easements and agreements including, but not limited to, access, parking, utilities, common areas, storm management and other items will likely be necessary to accomplish the development as proposed.
16. Provide drawings stamped by a Professional Engineer for the proposed overhead bridge of Commerce Drive.
17. This has been a difficult site for controlling erosion. The Developer shall implement diversion of offsite runoff as part of the erosion control plan.
18. The proposed cut out for the proposed loading zone and adjacent ramp across Commerce Drive will need to be approved by Traffic Engineering. This work, if approved, will require a Developer's Agreement for improvements in the right of way.
19. This property may have sanitary sewer area charges that are due and payable prior to the approval of the site plans. Contact Mark Moder at 261-9250 for details.
20. 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 (MGO 16.23(9)c).

21. 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. 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.
22. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass (POLICY).
23. The Applicant shall replace all sidewalk and curb and gutter which 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 (POLICY).
24. All work in the public right-of-way shall be performed by a City licensed contractor (MGO 16.23(9)(c)5) and MGO 23.01).
25. All damage to the pavement on Commerce Drive, Watts Road adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link:  
<http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY).
26. 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 (POLICY and MGO 10.29).
27. Effective January 1, 2010, The Department of Commerce's authority to permit commercial sites, with over one (1) acre of disturbance, for stormwater management and erosion control has been transferred to the Department of Natural Resources (WDNR). The WDNR does not have an authorized local program transferring this authority to the City of Madison. The City of Madison has been required by the WDNR to continue to review projects for compliance with NR216 and NR-151 but a separate permit submittal is now required to the WDNR for this work as well. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process.

As this site is greater than one (1) acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the Wisconsin Department of Natural Resources, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm> (NOTIFICATION).

28. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to control 80% TSS (5 micron particle) off of new paved surfaces, provide infiltration in accordance with MGO Chapter 37, provide oil and grease control from the first 1/2:" of runoff from parking areas, and complete an erosion control plan and weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website – as required by MGO 37.

Stormwater mgmt plans shall be submitted and approved by City Engineering prior to signoff.

29. The Applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number:

- a) Building Footprints
- b) Internal Walkway Areas
- c) Internal Site Parking Areas
- d) Other Misc Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
- e) Right-of-Way lines (public and private)
- f) All Underlying Lot lines or parcel lines if unplatted
- g) Lot numbers or the words "unplatted"
- h) Lot/Plat dimensions
- i) Street names

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com) . Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file (POLICY and MGO 37.09(2) & 37.05(4)).

30. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set (POLICY and MGO 37.09(2)).

PDF submittals shall contain the following information:

- a) Building footprints
- b) Internal walkway areas
- c) Internal site parking areas
- d) Lot lines and right-of-way lines
- e) Street names
- f) Stormwater Management Facilities
- g) Detail drawings associated with Stormwater Mgmt Facilities (including if applicable planting plans)

31. The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Mgmt Files, including:

- a) SLAMM DAT files
- b) RECARGA files
- c) TR-55/HYDROCAD/Etc
- d) 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 (POLICY and MGO 37.09(2)).

32. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior 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 two (2) working days prior to requesting City Engineering signoff (MGO 16.23(9)(d)(4)).

33. 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 (POLICY)

**Please contact Pat Anderson of the Zoning Office at 266-5978 if you have any questions regarding the following 3 items:**

34. The zoning text shall be modified to include an occupancy limitation, utilizing the family definition applicable to the SR-V2 zoning district.
35. Provide the minimum bike parking stalls for the residential component of the project. Bike parking shall be located in a safe and convenient location on an impervious surface subject to section 28.141(11) to be shown on the final plan. Bike parking for the proposed other components of the project shall comply with the requirements in sec. 28.141(4)(g) and 28.141(11) and future tenants shall be calculated at the time building permits for occupancy are requested. Provide a detail of the proposed bike rack.
36. A minor alteration to the adjoining PD receiving the Skywalk (8202 Highview Drive) shall be required. Work with zoning staff to facilitate this application.

**Please contact Eric Halvorson of Traffic Engineering at 266-6527 if you have any questions regarding the following 9 items:**

37. Driveway access from Watts Road as shown in the submitted plans is likely to result in rear end crashes on Watts Road. To ensure safety of residents accessing the proposed development and the general traveling public, applicant shall enter into a developer's agreement with the City Engineering division to install a left turn bay on Watts Road at the proposed driveway access from Watts Road.
38. Improvements within the public right of way and restrictions on use of the public right of way such as the loading zone shown on the submitted plans are not approved through the rezoning process. These improvements will require further approval by the board of public works and the pedestrian bicycle commission. The applicant shall not assume that approval of submitted plans is approval for use of the public right of way.
39. The applicant shall prepare a Shuttle Operations Plan for the site to be reviewed and approved by the City Traffic Engineer. This shall include hours of operation and accessibility to residents.
40. Senior living facilities generate a higher expectation of roadway pedestrian treatments than typical developments. Applicant shall provide an \$8,000 deposit for enhanced pedestrian treatment near this facility. This is in addition to any deposit deemed necessary for work related to construction of the development. Type and timeframe of any pedestrian treatments are at the discretion of the City Traffic Engineer.
41. Applicant shall provide a connected skyway to the existing facility located at 8202 Highview Drive as shown in the submitted plans. This is essential to the safe operation of the senior living facility.
42. 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 two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.

43. 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.
44. 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.
45. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

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

46. While MFD does not object to the general development plan at this site, MFD does have questions regarding the specific plans at the current development level. These questions include class of construction, allowable construction height, occupancy, occupancy separation, and emergency evacuation procedures and occupant capabilities.
47. Provide fire apparatus access as required by IFC 503 2012 edition, MGO 34.503.

**Please contact Kay Rutledge, Parks Division at 266-4714 if you have any questions about the following 2 items:**

48. 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)) may be required for all new residential development in this subdivision. The developer must select a method for payment of park fees before signoff on the rezoning. This development is within the Elver park impact fee district (SI31). Please reference ID# 05109.1 when contacting Parks about this project.
49. 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 Tim Sobota of Metro Transit at 261-4289 if you have any questions regarding the following 6 items:**

50. In coordination with public works improvements, the applicant shall install a new concrete passenger boarding pad on the south side of Watts Road, east of Commerce Drive. The concrete pad shall occupy the full distance of the terrace, measure a minimum of 10 feet in width parallel to the street, and lie flush between the sidewalk and the top of curb.
51. The applicant shall install and maintain a shelter structure with bench seating in the adjacent property landscape plan, generally across the sidewalk from the new concrete boarding pad.
52. 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.
53. Metro Transit operates daily transit service along Watts Road through the Commerce Drive intersection adjacent the project site. The existing bus stop #6191, west of the Commerce Drive intersection, was improved with a concrete boarding surface and bench seating amenity by the developers in conjunction with the original All Saints project in this quadrant of the intersection.

54. Metro Transit has received multiple feedback requests in recent years from tenants residing in the existing All Saints development, asking that a shelter be made available for the buses that serve this stop. Metro Transit would anticipate similar requests from the residents and visitors/employees in the new facility.
55. Rather than further improve the existing bus stop west of the Commerce Drive intersection, Metro Transit plans to permanently relocate this bus stop to just east of (past) the intersection – upon completion of this project – in large part due to the fact that this location has come under study on the City of Madison's traffic signal priority list.

**Please contact Dennis Cawley, Water Utility, at 266-4651 if you have any questions regarding the following item:**

56. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

**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 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

May 21, 2014

Page 8

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 266-5974.

Sincerely,

Heather Stouder  
Planner

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

cc: Janet Schmidt, City Engineering Division  
Jeff Quamme, Engineering-Mapping  
Eric Halvorson, Traffic Engineering Division  
Dennis Cawley, Madison Water Utility  
Pat Anderson, Assistant Zoning Administrator  
Kay Rutledge, Parks Division  
Tim Sobota, Metro Transit  
Bill Sullivan, Madison Fire Department