



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985
TDD 608 266-4747
FAX 608 266-8739
PH 608 266-4635

August 3, 2011

Josh Wilcox
Gary Brink and Associates
8401 Excelsior Dr.
Madison, WI 53717

RE: Approval to rezone the property at 229 West Lakelawn Place from R6 to PUD(GDP)(SIP) to construct a new five-story apartment building with 14 residential units.

Dear Mr. Wilcox:

At its August 2, 2011 meeting, the Common Council **approved** the rezoning of your client's property at 229 West Lakelawn Place from R6 to PUD(GDP)(SIP), subject to the following conditions of approval from reviewing agencies:

Please contact my office at 266-5974 with questions about the following 7 items:

1. Final plans submitted for staff review and approval shall address any conditions of approval recommended by the Urban Design Commission on July 20, 2011.
2. Prior to staff approval of the rezoning request, the applicant shall provide for staff review and approval a copy of tenant leases for both buildings which include an occupancy limit of one tenant per bedroom (not including double lodging rooms in the existing Acacia Building). The lease shall also include a clear indication that no long-term automobile parking is provided on the property, as well as a clear explanation of the intended use of all parking areas on the site.
3. All bedrooms shall include either closets or furnished wardrobes for the storage of clothing.
4. The change in exterior materials from brick to concrete masonry units on the east side of the building shall be accompanied by a change in plane.
5. Final plans submitted for staff review and approval may replace the "green wall" element proposed on the lower level of the building surrounding the parking area with wooden louvers as has been submitted as an alternative by the applicant. If the "green wall" is included in final plans, the applicant shall include for review by staff additional information regarding its maintenance and appearance throughout the year.
6. Final plans submitted for staff review and approval shall include 20 moped stalls and 63 bicycle parking stalls, accessible by tenants of both the new building and the Acacia building.
7. A revised management plan shall be provided for review and approval by staff. The Plan Commission shall retain continuing jurisdiction over the Management Plan, and may review it and require additional actions by the building owner to address problems or deficiencies determined to exist. The revised Management Plan shall incorporate the following items:
 - a) Contact information of the entity responsible for the management of the property.
 - b) Name and contact information for a private snow removal provider, if applicable.
 - c) More detail on recycling policies for both buildings and trash removal policies for the Acacia building, and the name and contact information for a private trash removal provider.
 - d) Clear policies regarding access to each building and part of the site by residents.
 - e) Clear policies and enforcement procedures regarding noise and other nuisances.
 - f) Clear policy indicating that moped parking is not allowed on the public terrace or sidewalk.

Please contact Matt Tucker, Zoning Administrator, at 266-4569 with questions about the following 5 items:

8. Provide a minimum of 24 bicycle parking stalls in a safe and convenient location on an impervious surface as required by MGO Sec. 28.11(3) to be shown on the final plan. The racks shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. A bike-parking stall is 2 feet by 6 feet, with a 6-foot vertical clearance and a 5-foot access aisle. The applicant shall work with Planning and Zoning staff on how the remaining 39 bicycle parking stalls will be provided.
9. Exterior lighting is being provided, and must comply with MGO Section 10.085, outdoor lighting standards.
10. In regard to the provision of off-street loading berths, the applicant is not providing a single 10' x 35' loading stall, and is therefore requesting a waiver/modification. The applicant is proposing two smaller loading spaces: an 8' x 16' loading space accessed from Lakelawn Place and a 9' by 18' small loading space accessed from West Lakelawn Place.
11. Please revise zoning text to incorporate the existing Acacia use/building into the PUD. The zoning text shall include dwelling unit mix, family definition, a statement about the lodging room use, and other common features required in a zoning text for similar developments.
12. Final plans submitted for staff review and approval shall include floor plans and elevations for the existing Acacia building.

Please contact Janet Dailey, City Engineering, at 261-9688 with questions regarding the following 16 items:

13. The sump pump system shall be designed and sealed by a PE or Master Plumber and shall be designed to control/handle the 100-year design storm.
14. The parcel is part owner in 250 and or 249 West Lakelawn Place. There exists a public storm main in this area that requires repair. The applicant shall assist the City in obtaining the right to access this property to perform the required maintenance.
15. This property must connect to sanitary sewer draining to the southeast. May require public main extension and/or lateral relocated further south and east.
16. Submit a PDF of each floor plan to Engineering Mapping Lori Zenchenko (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.
17. This project requires the owner to convey public street (including public storm sewer facilities) and public street lighting easements to the City of Madison. These easements will be administered by the City of Madison Office of Real Estate Services (Jeff Ekola). Reference Real Estate Project Nos. 9702, 9703 & 9704 on transmittal when submitting the required \$500 check (payable to City of Madison Treasurer) to the Office of Real Estate Services.
18. The Owner / Developer shall make the application for the proposed Vesta Condominium with the City of Madison Planning Division.
19. The City shall reconstruct West Lakelawn Place in 2012 including upgrading of City utilities. The applicant shall be assessed proportionately for their share of these improvements. Prior to approval, the owner shall execute a "waiver of notice" for these assessments. Additionally, the owner shall cooperate and coordinate their construction with the City project.

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.
21. The approval of this PUD 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.
22. 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.
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.
24. All work in the public right-of-way shall be performed by a City licensed contractor.
25. All damage to the pavement on Lakelawn Place, 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>.
26. For Commercial sites <1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required.
27. 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 namesAll other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred addressing@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.

28. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction MGO 37.05(7). This permit application is available on line at: <http://www.cityofmadison.com/engineering/permits.cfm>.

Please contact Bryan Walker, Traffic Engineering, at 267-8754 with questions about the following 8 items:

29. The applicant shall provide a five foot (5') sidewalk on Lakelawn Place along the rear of the property and note this on submitted plans. The size and location of the short term parking area may be affected by this, and may need to be modified to allow for a 9'x16' stall with 2' of bumper overhang. Dimensions of the sidewalk and temporary parking area shall be noted on plans when submitted for approval.
30. The applicant shall be responsible for improvements to the corner of West Lakelawn Place and Lakelawn Place concerning sidewalk connections, curb and gutter, drainage improvements, and fire access.
31. When the applicant submits final plans for approval, the applicant shall show turning movements for a fire truck on West Lakelawn Place and Lakelawn Place.
32. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be review by Traffic Engineer to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds four stories prior to sign-off to be reviewed and approved by Keith Lippert, (266-4767) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
33. When the applicant submits final plans of one contiguous plan 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, showing all easements, all pavement markings, building placement, and stalls, adjacent driveway approaches to lots on either side and across the street, 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'.
34. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
35. 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.
36. 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 Dennis Cawley, Water Utility, at 261-9243 with questions about the following item:

37. This property is not in a Wellhead Protection District. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Please contact Bill Sullivan, Fire Department, at 266-4420 with questions about the following 2 items:

- 38. Provide fire apparatus access as required by IFC 503 2009 edition, MGO 34.503
- 39. The Fire Department does not object to this proposal provided the project meets all applicable fire codes and ordinances.

Please contact Kay Rutledge, Parks Division, at 266-4714 with questions about the following 3 items:

- 40. This development is within the Vilas-Brittingham park impact fee district (SI27). The developer shall pay \$30,349.62 in park dedication and development fees for a 14-unit apartment building.

Fees in lieu of dedication = (14 mf @ \$1,554) =	\$21,756.00
Park development fees = (14 mf @ \$613.83) =	\$ 8,593.62
Total fees =	\$30,349.62

- 41. The development must select a method for payment of park fees before signoff.
- 42. 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.

After the plans have been changed per the above conditions, please file **eleven (11) sets** of the revised, complete plan set 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.

Building permits will not be issued until this process has been completed. 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.

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, AICP
Planner

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

Signature of Applicant

cc: Janet Dailey, City Engineering
Pat Anderson, Zoning
Bryan Walker, Traffic Engineering
George Dreckmann, Recycling Coordinator
Eric Pederson, Engineering Mapping
Al Martin, Urban Design Planner
Bill Sullivan, Fire Department
Kay Rutledge, Parks Division

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Division (H. Stouder)	<input checked="" type="checkbox"/>	Recycling Coordinator (R & R)
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Fire Department
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	Engineering Mapping	<input type="checkbox"/>	Other: