



Department of Planning & Community & Economic Development  
**Planning Division**

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

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March 2, 2012

Robert Shipley  
BMZ Architects  
2211 Parmenter Street  
Middleton, Wisconsin 53562

RE: Approval of a request to rezone 723 State Street from R6 (General Residential District) to Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow demolition of the existing St. Paul University Catholic Center and the construction of a new six-story church and student center.

Dear Mr. Shipley;

At its February 28, 2012 meeting, the Common Council **conditionally approved** your application to rezone property located at 723 State Street from R6 to PUD-GDP-SIP, subject to the following conditions of approval, which shall be satisfied prior to final approval and recording of the planned unit development and the issuance of permits for demolition or new construction:

**Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following twenty-six (26) items:**

1. The developer shall coordinate their project with the City reconstruction project on State Street (2014, Project No. 53W1193). Temporary construction access and permanent fire lane access must be coordinated with the City.
2. A permanent access plan should be provided for comment. The developer should note that Fitch Court may be vacated to the south of their site.
3. Provide a detailed plan for staging and deliveries during the construction of the project.
4. Revise the drawings to show connection to the public utilities located in State Street. The City is investigating if the sanitary sewer can be abandoned on Fitch Court.
5. The current site plan drawings are incomplete and do not meet minimum requirements for SIP-level plan review. Additional comments will be provided by City Engineering when a complete site plan is made available for City agency review. Prepare and submit a complete plot/site plan of the entire site, drawn to scale and fully dimensioned, showing any parking or loading facilities to be provided in compliance with 28.11(2)(f) MGO and any additional information as may be required by the Zoning Administrator, including, but not limited to the following: all adjacent public right of way and property lines; all existing and proposed buildings (including any accessory buildings not on concrete foundation), and; existing and proposed impervious areas including but not limited to, buildings, sidewalks, parking (paved bituminous, concrete, gravel, etc.).

6. The applicant shall resurface or reconstruct Fitch Court and the Street Permanent limited easement from Fitch Court to N. Lake Street which is damaged from the construction of this development. Since construction access is planned on Fitch Court from University Avenue, this may result in resurfacing or partial reconstruction of the southerly portion of Fitch Court south of this property and is likely to require reconstruction of Fitch Court immediately adjacent to this property. If the City can abandon the public sanitary sewer or water main in Fitch Court, the applicant shall coordinate any additional utility work with the City prior to the reconstruction of Fitch Court.
7. If the applicant wishes to enhance the surface improvements on Fitch Court to include any non-standard or decorative features such as pavers or specialized paving, the property owner shall be required to enter into a maintenance agreement for the perpetual maintenance of these improvements.
8. The construction of this development 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.
9. 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.
10. 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.
11. The applicant shall replace all sidewalk and curb and gutter that abuts the property, which is damaged by the construction, or any sidewalk and curb and gutter, which the City Engineer determines needs to be replaced because it is not at a desirable grade, regardless of whether the condition existed prior to beginning construction.
12. The applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
13. The applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the City. The stone used for the exposed aggregate shall be approved by the City. 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.
14. All work in the public right of way shall be performed by a City-licensed contractor.

15. All damage to the pavement on State Street and Fitch Court adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
16. The site plans shall be revised to show the location of all rain gutter down spout discharges.
17. 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.
18. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
19. 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 the Madison General Ordinances.
20. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right of way. It may be necessary to provide information off the site to fully meet this requirement.
21. The applicant shall submit, prior to plan signoff, 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: building footprints; internal walkway areas; internal site parking areas; other miscellaneous impervious areas lot lines; lot/ plat lines, dimensions and labels; right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
22. All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc. shall be shown on the plan.
23. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
24. Prior to approval of the issuance of a demolition permit, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged, the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1) \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2) \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.
25. 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.

26. City of Madison Environmental project staff is not aware of any land dedications required for this project. As a result, a Phase 1 Environmental Site Assessment (ESA) **will not** be required of the applicant. If right of way is dedicated as a result of the project, the applicant shall notify Brynn Bemis (267-1986) to determine if a Phase I ESA will be required.

**Please contact Bryan Walker of the Traffic Engineering Division at 267-8754 if you have questions about the following seven (7) items:**

27. Vehicle access, including truck, loading and fire access to the site may not be fully secured and adequate for future development on this block. Current access to this site is via the existing public street of Fitch Court. In the future, the University of Wisconsin's Master Plan vacates existing Fitch Court, from University Avenue to Pres House and this site, as noted in the Chazen Music/ Art Museum Block Master Plan (see Exhibit dated July 24, 2009). The applicant shall provide a alternate site plan showing this future plan as proposed by the UW.

28. 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 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.

29. The applicant shall demonstrate a single unit truck's ingress/egress routes from and to University Avenue (and N. Lake Street on the alternate plan) on the site plan at 1"=20'. The applicant shall demonstrate how truck loading will work without backing into public areas.

30. The applicant shall modify and dimension proposed parking stalls items A, B, C, D, E, F, and degree angle parking with 9-foot wide stalls, which requires a 24 feet to back up, according to Figures II "Medium and Large Vehicles" parking design standards in MGO Sec. 10.08(6)(b) 2. (If 2 feet of overhang is used for a vehicle, it shall be shown on the plan.)

31. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2-foot overhang, and a scaled drawing at 1" = 20'.

32. The applicant shall post a deposit and reimburse the City for all costs associated with any modifications to street lighting, signing and pavement marking, including labor, engineering and materials for both temporary and permanent installations.

33. 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 Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following item:**

34. Provide fire apparatus access as required by IFC 503 2009 edition and MGO Section 34.503. The MFD does not object to this project provided it complies with all building and fire codes. Additional comments may be forthcoming as the project details fully develop.

**Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following item:**

35. The Madison Water Utility shall be notified to remove the water meter prior to demolition. 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 Kay Rutledge of the Parks Division at 266-4714 if you have any questions regarding the following item:**

36. The developer shall contact Parks Division staff to determine if the proposed apartment units will be required to pay park impact (dedication and development) fees. Any park impact fees required shall be paid prior to the issuance of permits for the new building.

**Please contact my office at 261-9632 if you have questions about the following five (5) items:**

37. That the specific implementation plan be revised per Planning Division approval prior to final approval of the PUD for recording and the issuance of demolition or building permits as follows:

- a.) show the number and location of the proposed bicycle and moped parking stalls indicated in the letter of intent, with the dimension of those stalls, noting that the final number of stalls may be increased by Planning staff in consultation with the Zoning Administrator and Traffic Engineer to ensure that adequate bike parking is being provided for the new, larger facility;
- b.) provide fully dimensioned civil site, utility, grading and landscaping plans for the project stamped by the appropriate engineering and landscape architect professionals;
- c.) provide four-sided elevations that include height dimensions at the base and top of the proposed cupola (any ornamentation to be located on that structural element); no part of the structure shall extend above 187.2 feet City datum except as permitted in Section 28.04(14) of the Zoning Code as a conditional use.

38. That the applicant revise the zoning text per Planning Division approval prior to final approval of the PUD for recording and the issuance of demolition or building permits as follows:

- a.) the list of permitted uses shall be revised to specify:
  - churches and places of worship;
  - accessory residential units as shown on the approved plans for staff and visiting clergy and guests of the student center;
  - uses coincident with a student center, including events that may be open to the public;
  - restaurant/ coffeehouse, with accessory outdoor eating area as shown on the approved plans;
  - accessory uses directly associated with those permitted uses.
- b.) signage shall be limited to the maximum permitted in the R6 zoning district, as approved by the Urban Design Commission or its secretary and the Zoning Administrator;
- c.) the family definition shall note that the proposed residential units are intended for the occupancy of resident and visiting clergy and guests of the center and are not intended for rental to the general public.

39. That the project receive final approval from the Urban Design Commission prior to final approval of the PUD for recording and the issuance of demolition or building permits. Any issues addressed during final approval may be appealed to the Plan Commission.

40. That a permanent fire lane to serve the project be approved by the City Engineering Division, Traffic Engineering Division, Fire Department and Planning Division prior to final approval of the planned unit development for recording and the issuance of any permits for demolition or new construction.

The design of this fire lane shall consider the objective of preserving the State Street pedestrian mall as an attractive and engaging pedestrian corridor, and final approval of this fire lane shall be conditioned upon the applicant acknowledging that the fire lane shall be subordinate to the existing and future design of the State Street pedestrian mall, including any existing and future street vending located in the 700-block. [In other words, maintenance of the St. Paul University Catholic Center fire lane shall not take precedence over the City's goals and objectives for the State Street pedestrian mall or long-term operation of food carts, etc. within the public right of way.]

41. That the applicant receive approval of a permanent access plan for the service, loading and parking area located at the southeastern corner of the building from the City Engineering Division, Traffic Engineering Division and Planning Division prior to final approval of the planned unit development for recording and the issuance of any permits for demolition or new construction. A copy of the final access plan shall be provided to Gary Brown, University of Wisconsin–Madison for his review and comment prior to final approval of the access plan.

**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.**

**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.**

Provide a reuse/recycling plan, to be reviewed and approved by the City Recycling Coordinator prior to a demolition permit being issued. Sec 28.12(12)(e) of the Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.

The Madison Water Utility shall be notified to remove the water meters prior to demolition.

Approval of the 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 planned unit development has been revised per the above conditions, please file **ten (10) sets** of complete, fully dimensioned, and to-scale plans and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their final approval.

Upon receipt of the aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds Office. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process.

If this plan is not recorded within one year of the date of approval by the Common Council, the approval shall be null and void. No construction or alteration of the property included in this application shall be permitted until a Specific Implementation Plan (SIP) has been approved and recorded.

Within thirty-six (36) months of Common Council approval of the general development plan, the basic right of use for the areas, when in conformity with the approved specific implementation plan, shall lapse and be null and void unless 1) the project, as approved, is commenced by the issuance of a building permit, or 2) if an application for an extension is filed at least thirty (30) days prior to the expiration of the thirty-six (36) month period and the Plan Commission, after a public hearing pursuant to Sec. 28.12 (10)(e), determines that no changes in the surrounding area or neighborhood since approval of the general development plan render the project incompatible with current conditions and grants an extension of up to twenty-four (24) months in which to obtain a building permit. In no case shall an extension allow a building permit to be issued more than sixty (60) months after approval of the general development plan by the Common Council. If a new building permit is required pursuant to sec. 29.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain general development plan approval and specific implementation plan approval.

If you have any questions regarding recording this plan or obtaining permits, please call Matt Tucker, Zoning Administrator, at 266-4551. If I may be of any further assistance, please do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks  
Planner

cc: Janet Dailey, City Engineering Division  
Bryan Walker, Traffic Engineering Division  
Bill Sullivan, Madison Fire Department  
Kay Rutledge, Parks Division  
Dennis Cawley, Madison Water Utility  
Pat Anderson, Asst. Zoning Administrator

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