



Department of Planning & Community & Economic Development

Planning Division

Katherine Cornwell, Director

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July 10, 2014

Martin Rifkin
Blount St., LLC
PO Box 2077
Madison, WI 53701

RE: Approval of the demolition of an existing commercial building and a conditional use for construction of a six-story mixed-use building at 706 Williamson Street in the TSS (Traditional Shopping Street) District.

Dear Mr. Rifkin:

At its July 7, 2014 meeting, the Plan Commission found the standards met and **approved** your request for a demolition and conditional use at 706 Williamson Street, subject to the conditions below. In order to receive final approval of the demolition and conditional use, 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 5 items:

1. Final plans submitted for staff review and approval shall include a detailed plan for the roof, showing all mechanicals and screening. The applicant is encouraged to incorporate a rooftop patio for use by all tenants to increase the usable open space on the site, and is also encouraged to incorporate green roof elements, which can help to meet the lot area requirement in the TSS Zoning District.
2. Final plans submitted for staff review and approval shall include bicycle parking as required by the zoning code. The applicant is encouraged to explore ways to utilize space within the first floor of the building for bicycle parking, so as not to substantially reduce the number of automobile parking stalls.
3. Final plans submitted for staff review and approval shall include elevation drawings with all materials labeled, which corresponds with a detailed materials schedule to include color brick size, and other descriptors.
4. Final plans submitted for staff review and approval shall remove the tables and chairs shown in the right of way, and any future outdoor eating area for the property will require conditional use approval.
5. The applicant is encouraged to revise floor plans to reduce the proportion of interior bedrooms.
6. The applicant is encouraged to include both trash and recycling chutes accessible from all residential floors of the building.
7. The applicant is encouraged to include a dedicated automobile parking space for a vehicle to be shared among tenants.
8. Entrances to the building shall be provided at least every 40 feet.

Note: This condition was added by the Plan Commission on July 7, 2014.

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9. The Plan Commission recommends that City Traffic Engineering review the safety of the Blount and Williamson Street intersection.

Note: This condition was added by the Plan Commission on July 7, 2014.

Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following 35 items:

10. The proposed new building will cross an underlying platted lot line. Current fire code and City enforcement requires the underlying platted lot line be dissolved by Certified Survey Map (CSM) prior to issuance of a building permit. A CSM 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.
11. The property is subject to a 20' wide Common Driveway right of way per Document No. 315785 along the east side of the property. The proposed site plan modifies this driveway access and changes it to a common pedestrian courtyard area. The Applicant shall draft and record all easement/agreement documents required to modify the current use as a driveway to the proposed courtyard.
12. Access to the proposed tandem parking stalls along the north side of the site will require access over the adjacent property to the north. The Applicant shall draft and record, at the Dane County Register of Deeds, a common access easement/agreement between the two properties that provides adequate access for vehicles to maneuver in and out of these proposed tandem parking spaces.
13. Specify and label the recording data for the 10 foot easements noted along the north and east sides of the site on the plans.
14. This parcel and the noted additional surface parking lot at 651 E. Wilson Street are subject to a Parking Lot Cross-Easement Agreement. This proposed redevelopment and the proposed redevelopment to the east of this property will require this agreement to be modified/amended/released. The Applicant shall coordinate and record the required documents at the Register of Deeds to appropriately address the proposed parking configuration.
15. The Applicant shall provide and show on the site plan the recorded easement/agreement for any storm sewer facilities shared with adjacent properties.
16. This proposal appears to require both construction site dewatering and permanent dewatering. The Applicant shall provide for review and approval plans to the City Engineer for both types. Permits shall be required.
17. The address of 706 Williamson St. will be retired with the demolition of the existing building. The proposed address of the retail tenant is 704 Williamson St. The base address of the apartments is 309 S. Blount St.
18. 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).

19. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
 20. The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
 21. The site plan shall identify the difference between existing and proposed impervious areas.
 22. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
 23. Submit a PDF of all floor plans to izenchenko@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.
 24. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
 25. The Public Sidewalk Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
 - a) The property owner reserves the right to use and occupy the Public Sidewalk Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sidewalk improvements.
 - b) No above-ground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner, with the exception that pavement and/or concrete for driveway purposes shall be permitted.
 - c) Plantings and landscaping within the Public Sidewalk Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d) The property owner shall not change the grade of the Public Sidewalk Easement Area(s) without the prior written approval of the City's Engineering Division.
 - e) The Public Sidewalk Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- (MGO 16.23)(3)(a)(2)(c) (plats) & 16.23(5)(g)1 (CSM)
26. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass (POLICY).
 27. The approval of this Conditional Use or 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 (MGO 16.23(9)(d)(6)).
 28. 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 (POLICY).

29. 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).
30. The Applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments (INFORMATIONAL).
31. 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 (POLICY).
32. 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).
33. 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 (POLICY).
34. All damage to the pavement on Blount Street and Williamson Street, 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).
35. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in the ROCK RIVER TMDL ZONE and by Resolution 14-00043 passed by the City of Madison Common Council on 1/21/2014. You will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR.
36. 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 (NOTIFICATION).
37. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to reduce TSS off of the proposed development by 80% when compared with the existing site, and 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 MGO Chapter 37.

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.
38. 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 (POLICY).

39. 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 Management Facilities (including if applicable planting plans)

40. The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management 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)).

41. The area adjacent to this proposed development has a known flooding risk. All entrances shall be 2-feet above the adjacent sidewalk elevation or 1-foot above the 100-year regional flood elevation (whichever is greater). This includes garage entrances (POLICY).

42. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm> (MGO CH 35.02(14)).

43. 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)).

44. 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 15 items:

45. Lot coverage information has not been provided for the development. Section 28.211 defines lot coverage: provide design detail of proposed permeable paving to determine qualification as part of lot coverage requirement. Provide final lot coverage calculations with final plan set. NOTE: maximum lot coverage is 85%.

46. The submitted plans show changes to adjacent properties that appear to have cross-access with the subject properties, and elements such as bike parking and outdoor seating on the adjacent property to the east (714 Williamson Street). Each adjacent site that is to be affected must have any revisions to these sites approved through site plan review prior to the issuance of any new construction permit for the subject site. NOTE: Bike parking located on the adjacent property does not count toward on-site bike parking requirement.
47. The submitted plans show landscaping elements placed on adjacent properties, which does not count toward the landscaping requirement for this development. Revise the landscaping plan to omit landscaping on adjacent properties.
48. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31 Sign Codes prior to sign installations.
49. Sec. 28.185 (7)(a)5. requires approval of a reuse and recycling plan by the Recycling Coordinator, Mr. George Dreckmann(608-267-2626), prior to the issuance of the demolition permit.
50. Sec. 28.185 (10) Every person who is required to submit a reuse and recycling plan pursuant to Sec. 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
51. Sec. 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
52. Detailed information regarding the provision of required bike parking has not been included with the submittal. Provide the minimum bicycle parking stalls for the development including guest stalls. Bicycle 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 plans. A minimum of 90% of the required bicycle parking stalls for the residential use shall be designed as long term stalls, with the remaining 10% as short-term bicycle parking. Guest stalls for the residential use and 90% of the bike parking required for commercial uses shall be short term. A bicycle stall is 2' x 6' with a 5' clear access aisle. Provide a detail of the bike rack to be installed. NOTE: bike parking within residential units does not count toward the required bike parking amount for the development.
53. The submitted plans show bicycle parking to be placed within the public right-of-way, to meet the short-term bike parking requirement per Sec. 28.141(11)(b). Bicycle parking proposed for placement in the public right-of-way will require approval from the Traffic Engineer and City Real Estate section.
54. As the commercial tenant spaces are leased, the entire development must reflect compliance in the required amount, type and number of auto and bike parking spaces, to be reviewed prior to obtaining zoning approval for each use. Parking reductions maybe required pursuant Section 28.141(5).
55. On the final site plan, show setbacks to all portions of the building, including upper-level cantilevered portions of the building and any balconies.
56. Pursuant to Sec. 28.142(3) Landscape Plan and Design Standards: Landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
57. Provide detailed floor plans of all floors including the roof top level.
58. Any future outdoor seating associated with a food and beverage establishment will require Conditional Use approval.
59. No rooftop or ground-level mechanical equipment is shown on the submitted plans. If such equipment is proposed, it must be screened per Sec. 28.060(2) (e) & (f).

Please contact Eric Halvorson of Traffic Engineering at 266-6527 if you have any questions regarding the following 14 items:

60. The applicant does not provide an off-street loading zone at this location for either the residential properties or the commercial properties. Parking is not currently allowed at any time adjacent to the proposed building along Williamson Street and is not likely in the future. This will place a heavy load on Blount Street for loading and unloading purposes and may result in vehicles loading and unloading from travel lanes on Williamson Street and Blount Street.
61. Slope for speed ramp not noted on the plan. Slope shall not exceed 12% for public parking or 17% for private or valet parking unless deemed functional by Traffic Engineering.
62. Parking layout dimensions not provided prior to review. If dimensions do not meet MGO standards this has the potential to require a major redesign of the support structure for this site.
63. Applicant shall provide a 10' vision clearance triangle along the sidewalk for vehicles exiting the garage entrance on Blount Street. The vision triangle shall be at a location prior to the vehicle entering the pedestrian way.
64. All pedestrian walk ways shall have a 5' clear path free for all obstructions including but not limited to benches, tree, signs and doors. Any obstructions will be removed before final sign off.
65. The applicant does not provide sufficient off-street parking to accommodate the parking needs of the residential units proposed. In addition, there is very little on-street parking available in the near vicinity. Residents of this development shall not be eligible for participation in the Residential Permit Parking Program. The landlord shall inform potential tenants of this restriction prior to signing of a lease.
66. Items in the Right of Way are not approved by the plan commission. Applicant shall note on the site plan that racks shown within the Right of Way will require additional approvals.
67. 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.
68. 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.
69. 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.
70. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
71. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering 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 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.

- 72. All new or modified entrances shall conform to City driveway standards and be a commercial type entrance unless deemed necessary by Traffic Engineering.
- 73. Provide plan for operation of stacked parking, including turning templates, to be reviewed by Traffic Engineering prior to final sign off.

Please contact Kay Rutledge of the Parks Division at 266-4816 if you have any questions about the following 4 items:

- 74. 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 associated with this project. The developer must select a method for payment of park fees before project signoff. This development is within the Tenney – Law – James Madison park impact fee district (SI26). Please reference ID# 14135 when contacting Parks about this project.

Fees for New Development:

Fees in lieu of dedication = (55 MF @ \$1,799.00) =	\$98,945.00
<u>Park development fees = (55 MF @ \$662.95) =</u>	<u>\$36,462.25</u>
Total fees =	\$135,407.25

- 75. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Please submit an existing inventory of trees (location, species, & DBH) and a tree removal plan (in PDF format) to Dean Kahl – dkahl@cityofmadison.com or 266-4816. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
- 76. Additional street trees may be 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 ROW 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 - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part2.pdf>.
- 77. Existing street trees shall be protected. Please include the following note on the site plan:
Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>

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Please contact Dennis Cawley of the Water Utility at 266-4651 if you have any questions about the following 2 items:

78. The Madison Water Utility shall be notified to remove the water meter prior to demolition.
79. 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 of the Madison Fire Department at 261-9658 if you have any questions about the following 2 items:

80. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.
81. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Lt. Scott Bavery (608) 576-0600.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency. No demolition or building permits shall be issued until the applicant has met all of the conditions of approval stated in this letter.

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

1. Please revise the plans per the above conditions and file **eleven (11)** sets of complete, fully dimensioned, and to-scale plans, along with the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code. Also provide any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval.
3. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. This approval shall become null and void one year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within six months of the issuance of said building permit.

If you have any questions regarding obtaining the conditional use approval, please contact the Zoning Administrator at 266-4551. If you have any questions or if I may be of any further assistance, please do not hesitate to contact my office at 266-5974.

Sincerely,

Heather Stouder, AICP
Planner

<p>I hereby acknowledge that I understand and will comply with the above conditions of approval for this demolition permit and conditional use.</p> <hr style="width: 80%; margin-left: auto; margin-right: 0;"/> <p style="text-align: right;"><i>Signature of Applicant</i></p>
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- cc: Janet Schmidt, City Engineering Division
 Jeff Quamme, City Engineering Division
 Pat Anderson, Asst. Zoning Administrator
 Bill Sullivan, Fire Department
 Eric Halvorson, Traffic Engineering
 Kay Rutledge, Parks Division
 Amy Scanlon, Historic Preservation Planner

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (H. Stouder)	<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 type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Historic Preservation