



Department of Planning & Development
Planning Unit

Website: www.cityofmadison.com

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January 18, 2006

Thomas Miller
The Alexander Company, Inc.
145 East Badger Road, Suite 200
Madison, WI 53713

SUBJECT: 33 South Broom Street, 15 South Broom Street, 309-333 West Washington Avenue –
Capitol West”

Dear Mr. Miller:

The Common Council, at its January 17, 2006 meeting, conditionally approved your application for rezoning from PUD-GDP-SIP to Amended PUD(GDP-SIP) for property located at 33 South Broom Street (309-333 West Washington Avenue – “Capitol West”).

The conditions of approval are:

PLEASE CONTACT JOHN LEACH, CITY TRAFFIC ENGINEERING, AT 266-4761 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING FOUR ITEMS:

1. The approval of this facility does not include the approval of the as proposed improvements in the street right-of-way. The applicant should remove all proposed improvements or conditions in the right-of-way on the site plan sheets or note: “All right-of-way improvements require separate approval by the Board of Public Works and Common Council for the public right-of-way changes to be requested by the developer.”
2. The applicant shall remove, replace, and adjust street light poles adjacent to this project. The applicant shall install underground street lighting and communication conduit on Broom Street adjacent to this project. The applicant shall pay a deposit for the estimated costs to the City for time and materials associated with the above work.
3. The developer shall post a deposit or 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 and materials for both temporary and permanent installations.
4. 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 GARY DALLMANN, CITY ENGINEERING, AT 266-4751 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING FIFTEEN ITEMS:

5. 33 South Broom Street is not an approved address. The situs is 15 South Broom Street.

6. Five (5) 8-inch sanitary laterals in 18-inch steel casing pipes seems excessive. Manholes would be required for each connection to the City sewer main. If laterals serve existing buildings or buildings other than proposed condos, an ownership agreement must be provided. Prior to approval, provide more detail and explanation to City Engineer.
7. 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.
8. 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.
9. The approval of this Conditional Use 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 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.
12. All work in the public right-of-way shall be performed by a City licensed contractor.
13. 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.
14. The City of Madison is an approved agent of the Department of Commerce. This proposal contains a commercial building and as such, 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.
15. 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.

16. The Applicant shall submit, prior to plan sign-off, digital CAD files to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital copies shall be to scale and represent final construction.

CAD submittals can be either AutoCAD (dwg), MicroStation (dgn) Verision J or older, or Universal (dxf) formats and contain 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 Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
- e) Right-of-way lines (public and private)
- f) Lot lines
- g) Lot numbers
- h) Lot/Plat dimensions
- i) Street names

NOTE: Email file transmissions preferred lzenchenko@cityofmadison.com Include the site address in this transmittal

17. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
18. Prior to approval of the conditional use application, 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.
19. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.

PLEASE CONTACT KATHY VOECK OR MATT TUCKER, ZONING ADMINISTRATION, AT 266-4551 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING SIX ITEMS:

20. Obtain sign-off approval of the 309 West Washington Avenue GDP and the Phase I SIP. Submit documents for recording prior to staff sign-off on this phase of the development.
21. The site plans do not appear to be at the scale the key designates. The plans shall be to scale.
22. Show the driveway access to the loading area on the plan. The plan does not show a curb cut nor does it show the type of surface of the loading area or access to it.
23. Clearly show the property line on the site plan with dimensions from the structure to the property lines.
24. The fourth floor plan shall show a line of the limits of the floor above.
25. Provide 23 bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon

which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.

PLEASE CONTACT BILL ROBERTS OF THE PLANNING UNIT STAFF AT 266-4635 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING TWO ITEMS:

26. All applicable conditions of approval of the December 14, 2004 Common Council approval are required unless specifically amended by the Plan Commission.
27. The final Inclusionary Dwelling Unit Plan (IDUP) shall be approved and signed off by CDBG staff and Community and Economic Development staff consistent with the provisions of the Tax Increment Financing for this development.

PLEASE CONTACT AL MARTIN OF THE PLANNING UNIT STAFF AT 266-4635 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING FOUR ITEMS:

28. Per the agreement with the neighborhood, the developer shall remove the mezzanine (fifth story).
29. Per the agreement with the neighborhood, the developer agreed that the proposed balconies on the West Washington Avenue elevation shall not extend across the existing property line.
30. Per the agreement with the neighborhood, two of the five total "balcony stacks" along the Broom Street elevation shall not encroach into the 13-foot setback.
31. Per the agreement with the neighborhood, the three remaining "balcony stacks" along the Broom Street elevation shall encroach 4-feet within the 13-foot setback.

PLEASE CONTACT SI WIDSTRAND, CITY PARKS DIVISION, AT 266-4711 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING ITEM:

32. Any fees shall be paid at the time of project sign-off. (Details contained in the July 21, 2005 approval letter.)

PLEASE CONTACT SCOTT STRASSBURG, MADISON FIRE DEPARTMENT, AT 266-4484 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING TWO ITEMS:

33. Provide fire apparatus access as required by Comm. 62.0509 and MGO 34.19, as follows: Provide an aerial apparatus access fire lane that is at least 26 feet wide, with the near edge of the fire lane within 30-feet of the structure, and parallel to one entire side of the structure, and include on 8 feet street parking in distance fire lane to building.
34. Provide fire apparatus access as required by Comm. 62.0500 and MGO 34.19, as follows:
 - a) Provide a completed MFD "Fire Apparatus Access and fire Hydrant Worksheet" with the site plan submittal.
 - b) The site plans shall clearly identify the location of all fire lanes.

PLEASE CONTACT HICKORY HURIE OR BARB CONSTANS OF THE C.D.B.G. STAFF AT 267-0740 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING ITEM:

35. The final Inclusionary Dwelling Unit Plan (IDUP) shall be approved and signed off by CDBG staff and Community and Economic Development staff consistent with the provisions of the Tax Increment Financing for this development.

PLEASE CONTACT TIM SOBOTA, MADISON METRO TRANSIT AT 266-4904 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING SIX ITEMS:

36. The applicant shall install and maintain a concrete passenger boarding pad on the east side of the South Broom Street, approximately five feet south of the sidewalk and curb ramp on West Washington Avenue (#0965). The concrete pad shall occupy the full distance of the terrace, measure a minimum of 6 feet in width parallel to the street, and lie flush between the sidewalk and the top of curb.
37. The applicant shall install and maintain a passenger waiting shelter with bench seating and a trash receptacle on top of a concrete pad or other suitable surface on the east side of Broom Street south of West Washington Avenue, in an area adjacent to the concrete passenger boarding pad described above. The Plan Commission specifically directed that the bus shelter requested by Madison Metro along Broom Street be provided only if it meets the established standards for determining the need for bus shelters; a bench and trash receptacle are acceptable otherwise. If installed on City right-of-way between the curb and sidewalk, the amenities may not obstruct a six-foot zone of concrete pad between curb and sidewalk on the north end, nearest the crosswalk.

Metro Transit initiated this comment during a pre-submission meeting with the applicant, and presented this condition as part of the application for the rezoning of 309 West Washington Avenue. The current landscape plan submitted by the applicant shows just a bench with trash receptacle on City right-of-way between the curb and sidewalk. The current landscape plan further shows the bench and trash receptacle blocking the access zone required.

38. Such passenger amenity requests are typically fulfilled with the applicant installing the items private property behind the sidewalk. It is Metro Transit's recommendation that the applicant continue to review the potential of placing the amenities outlined above on private property.
39. The developer shall include this concrete passenger boarding pad, shelter with bench, and trash receptacle on the final documents filed with their permit application so that Metro Transit may review and approve the design.

Placement of privately installed and maintained property on City right-of-way will require the review and approval of additional City agencies, including City Real Estate and City Engineering, prior to Metro Transit giving final approval to the plans.

40. Metro Transit operates transit service along West Washington Avenue and Broom Street seven days a week. Metro bus stop #0965 is on the east side of Broom Street, south of West Washington Avenue.

Approval of the SIP plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816. The trees shown in the street rights-of-way shall not be shown on the sign-off plan or construction plans unless they have previously been approved by the City Forester. If these are existing street trees or species and locations that have been approved by the Forester, they shall be so labeled on plans.

After the plans have been changed as per the above conditions, please file twelve (12) sets of the complete site plans, building elevation and floor plans with the Zoning Administrator, Room LL100, 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 (30) months of Common Council approval of the General Development Plan or within eighteen (18) months of the recording of the Specific Implementation Plan, whichever is less, the basis right of use for the areas, when in conformity with the approved Specific Implementation Plan, shall lapse and be null and void unless the project, as approved, is commenced by the issuance of a building permit. If a new building permit is required pursuant to Section 28.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain 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.

Sincerely,

Bill Roberts
Planning & Development

c: Zoning Administrator
City Engineering
Traffic Engineering

Traffic Engineering
City Engineering
Fire Department
Zoning Administration
Urban Design (AM)
Planning (BR)
CDBG (HH)
Parks
Metro Transit
Water Utility