

PLANNING UNIT REPORT  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
September 12, 2006

**ZONING MAP AMENDMENT, I.D. 04209 TO REZONE 309 WEST WASHINGTON AVENUE/33 SOUTH BROOM STREET FROM PUD-SIP TO AMENDED PUD-SIP:**

1. Requested Action: Approval of an amendment to an unrecorded PUD-SIP for a major alteration to a previously approved proposal for the "Capitol West" development.
2. Applicable Regulations: Section 28.07 provides the framework and guidelines for Planned Unit Development Districts. Section 28.01 provides the process for zoning map amendments.
3. Report Drafted By: Bill Roberts, Planner IV.

**GENERAL INFORMATION:**

1. Applicant: Capitol West, LLC/The Alexander Company, Inc., 145 East Badger Road, Suite 200, Madison, WI 53713.
2. Status of Applicant: Owner.
3. Development Schedule: Demolition of buildings on the site has already occurred. New construction is expected to begin in fall 2006.
4. Parcel Location: Southeast side of West Washington Avenue along the northeast side of Broom Street, Madison Metropolitan School District, 4<sup>th</sup> Aldermanic District.
5. Parcel Size: About 4.5 acres.
6. Existing Zoning: Unrecorded PUD-SIP.
7. Existing Land Use: Three buildings on this site have been demolished and that portion of the site is presently vacant. The former Meriter Hospital west addition has been stripped down to the concrete support-structure and is proposed for reuse as part of this proposal.
8. Proposed Use: Mixed-use development consisting primarily of condominiums, some retail office space and parking.
9. Surrounding Land Use and Zoning (See map): This site is surrounded by a mix of predominantly residential uses, office uses and commercial uses along West Washington Avenue, West Main Street, South Henry Street and Broom Street.
10. Adopted Land Use Plan: This site is within the "Broom Street Downtown Residential Subdistrict" of the Comprehensive Plan. The Comprehensive Plan recommends mixed-

use, high rise and mid-rise buildings with first floor retail service, dining, entertainment, offices and upper floor residential use. Multi-unit high density residential greater than 60 dwelling units per acre, specific density ranges and dwelling unit types will be defined in adopted neighborhood or special area plans.

The adopted Bassett Neighborhood Master Plan January 1997 indicates among the redevelopment recommendations for this block:

*“Block 51 Redevelopment: Redevelopment of the former Methodist Hospital and Jackson Clinic for mixed-use that may include office, residential and retail uses...”*

11. Environmental Corridor Status: This property is not located within a mapped environmental corridor.

#### **PUBLIC UTILITIES AND SERVICES:**

The full range of urban services are available to the site.

#### **STANDARDS FOR REVIEW:**

This project is subject to the Planned Unit Development District standards.

#### **ANALYSIS, EVALUATION AND CONCLUSION:**

The applicant is requesting approval of a major alteration to this previously approved PUD-SIP for a mixed-use/predominantly residential development known as “Capitol West”. Portions of the block have already been cleared but construction of the new buildings has not started. Attached for Plan Commission information are the previous formal City approval letters, the minutes of previous Plan Commission and Common Council meetings and the Planning Unit staff reports for each element in this development. Also enclosed is the applicant’s response to address the specific conditions of approval contained in these previous approval letters.

The applicant met with City staff and it was determined that the proposed changes were a major alteration to a previously approved and yet to be recorded PUD-SIP. Major alterations to approved PUD-SIP proposals require full review by City staff, the Urban Design Commission and approval by the Plan Commission and Common Council.

The attached letter of intent dated July 12, 2006 outlines the proposed modifications. The description in the attached letter of intent reads:

- “1. 309 West Washington is modified by the addition of one story to the main tower portion of the building (increasing the number of stories from 10 to 11); note that there will not be an added floor to the annex area. This addition of one story adds 10 units and brings the unit total for this component from 116 dwelling units to

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126; this is an increase from 163 dwelling units in Phase 1 to 173 dwelling units. The height of the roof above the added floor is below the Capitol View Preservation Limit.

2. *In addition to the added floor, the mechanical system for the 309 building has been revised so as to eliminate the requirement for a cooling tower and enclosure on the roof of the building. This revision helps maintain an overall height for the 309 building that is very close to the originally proposed building height.*
3. *The exterior skin of 309 West Washington has been modified to maximize energy efficiency, and cost-effective composition. The materials and palette remain the same as in the original proposal.*
4. *The parking ramp is being modified to add one additional layer of parking beneath the existing two proposed layers. This additional level adds 70 parking stalls for an increase in the total number of stalls at this ramp from 146 to 216 parking stalls.*
5. *In addition to modifying the above structures this application also modifies some of the associated site improvements. The details of the proposed modified materials and assemblies are all shown on the submitted site planning documents.”*

Planning Unit staff feel that these changes are generally consistent with the previously approved PUD-GDP and SIP. The primary elements of the redevelopment of this block remain in place, consistent with the previous approvals granted by the Urban Design Commission, Plan Commission and Common Council. The Planning Unit has no objection to the proposed changes and recommend their approval subject to the Urban Design Commission recommendations.

### **RECOMMENDATIONS:**

Planning Unit staff does not object to these modifications. Subject to the input at the public hearing, the comments of the reviewing departments (including CDBG staff comments on the final Inclusionary Dwelling Unit Plan) and the Urban Design Commission recommendations, staff recommends that the Plan Commission forward this major amendment to an existing PUD-SIP to the Common Council with a positive recommendation, subject to the following:

1. All applicable conditions of approval contained in three attached Common Council action approval letters dated December 15, 2004, January 20, 2005 and January 18, 2006 shall be adequately addressed prior to City staff sign-off and the recording of this PUD-SIP.

Department of Public Works  
Parks Division

City of  
Madison



Madison Municipal Building, Room 120  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2987  
Madison, Wisconsin 53701-2987  
PH # 608 266 4711  
TDD # 608 267 4980  
FAX # 608 267 1162

September 12, 2006

TO: Plan Commission

FROM: Simon Widstrand, Parks Development Manager

*S.W.*

SUBJECT: **309 West Washington revised**

1. **Based on the previous approval, \$50,267.20 in park fees are currently due for the first 32 units.**
2. **Park fees totaling \$245,644.56 for the Major Alteration will be due prior to issuance of a building permit for the 141 additional units. The developer may elect to pay half the fees and provide a letter of credit for the other half.**

Based on the previous approval, \$50,267.20 in park fees are currently due for the first 32 units of construction (Broom Street 23 units + Main Street 9 units). Fee in lieu of dedication = 32 @ \$1106 = \$35,392. Park Development Fee = 32 @ \$464.85 = \$14,875.20

Fees totaling \$245,644.56 for the Major Alteration at 309 West Washington will be due prior to issuance of a building permit for the 141 additional units in the amended SIP: Fee in lieu of dedication = 141 @ \$1218 = \$171,738. Park Development Fee = 141 @ \$524.16 = \$73,906.56

This development contains no private open space or recreational improvements that qualify for IZ credits.

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 Simon Widstrand at 266-4714 or [awidstrand@cityofmadison.com](mailto:awidstrand@cityofmadison.com) if you have questions regarding the above items.

**CITY OF MADISON  
INTERDEPARTMENTAL  
CORRESPONDENCE**

**Date:** September 4, 2006

**To:** Plan Commission

**From:** Kathy Voeck, Assistant Zoning Administrator

**Subject:** 309 W. Washington Avenue, Block 51, PHASE I

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**Present Zoning District:** PUD(SIP)

**Proposed Use:** Major alteration, add one floor (10 additional units- total count of 126 units in this component and total of 173 dwelling units in Phase I) to the main tower, add two floors to the parking structure (70 additional stalls) and minor site plan alterations.

**Requested Zoning District:** Amended PUD(SIP)

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project). **NONE.**

GENERAL OR STANDARD REVIEW COMMENTS

1. Section 28.04(24) provides that Inclusionary Zoning requirements shall be complied with as part of the approval process. Submit to Zoning, a copy of the approved plan for recording prior to zoning sign off of the plat.
2. Show the maximum height on the elevation of the building elevation per City Datum. The buildings shall not exceed 187.2 City Datum. Include the height of the stair towers, roof deck, fence and mechanical enclosure within the capital view height limitation.
3. Meet applicable building codes and setbacks per State requirements. Meet applicable accessible building and accessible parking requirements per State requirements.
4. Provide 88 bike stalls for the 126 units and 4 stalls for the commercial portion of the building at 309 W Washington Ave. Provide one stall for each unit in a residential building up to 50 stalls and half a stall for the number of stalls over 50 for the remaining residential buildings or portions of buildings. Provide one bike parking stall for each 10 car stalls that would be required for any commercial or office spaces. (Note: car parking requirements would be one stall per each 300 square feet of gross floor area. Even though car parking is not required, bike parking is required per the amount that would be

required if it were.) The bike parking stalls shall be in a safe and convenient location on an impervious surface to be shown on the final plans. 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.

5. Provide a detailed landscape plan. Show species and sizes of landscape elements. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances.
6. Lighting is required. Provide a plan showing at least .5 foot candle on any surface on any lot and an average of .75 footcandles. The max. light trespass shall be 0.5 fc at 10 ft from the adjacent lot line. (See City of Madison lighting ordinance).
7. Put the addresses of the buildings on the building footprint of each building on the site plans.

**ZONING CRITERIA**

<b>Bulk Requirements</b>	<b>Required</b>	<b>Proposed</b>
Lot Area		As shown
Lot width		As shown
Usable open space		As shown
Front yard		As shown
Side yards		As shown
Rear yard		As shown
Floor area ratio		As shown
Building height	187.2 City datum max height	(2)

<b>Site Design</b>	<b>Required</b>	<b>Proposed</b>
Number parking stalls	0 (Central business district)	872
Accessible stalls	Per state code	(3) See May 28 letter
Loading	2 (10' x 35') Res. 1 (10' x 35') Commercial for 309 W Washington Ave	As shown
Number bike parking stalls	Yes	(4)
Landscaping	Yes	(5)
Lighting	Yes	(6)

<b>Other Critical Zoning Items</b>	
Urban Design	Yes
Historic District	No
Landmark building	No
Flood plain	No
Utility easements	No
Water front development	No
Adjacent to park	No
Barrier free (ILHR 69)	Yes

With the above conditions, the proposed project **does** comply with all of the above requirements.

\* Since this project is being rezoned to the **(PUD)** district, and there are no predetermined bulk requirements, we are reviewing it based on the criteria for the **R-6** district, because of the surrounding land uses.



# CITY OF MADISON FIRE DEPARTMENT

## Fire Prevention Division

325 W. Johnson St., Madison, WI 53703-2295

Phone: 608-266-4484 ♦ FAX: 608-267-1153

DATE: 8/24/06  
TO: Plan Commission  
FROM: Edwin J. Ruckriegel, Fire Marshal  
SUBJECT: **309 W. Washington Ave. (Block 51)**

The City of Madison Fire Department (MFD) has reviewed the subject development and has the following comments:

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. Submitted site plan shall comply with MGO 34 and COMM 62.0509 as well as the informal variance request approved 6/28/06 by the Madison Fire Department,

## **GENERAL OR STANDARD REVIEW COMMENTS**

In addition, we offer the following General or Standard Review Comments:

2. No comments.

Please contact John Lippitt, MFD Fire Protection Engineer, at 608-261-9658 if you have questions regarding the above items.

cc: John Lippitt





Department of Public Works  
**City Engineering Division**

608 266 4751

Larry D. Nelson, P.E.  
City Engineer

City-County Building, Room 115  
210 Martin Luther King, Jr. Boulevard  
Madison, Wisconsin 53703  
608 264 9275 FAX  
608 267 8677 TDD

**Deputy City Engineer**  
Robert F. Phillips, P.E.

**Principal Engineers**  
Michael R. Dalley, P.E.  
Christina M. Bachmann, P.E.  
John S. Fahrney, P.E.  
David L. Benzschawel, P.E.  
Gregory T. Fries, P.E.

**Operations Supervisor**  
Kathleen M. Cryan

**Hydrogeologist**  
Joseph L. DeMorett, P.G.

**GIS Manager**  
David A. Davis, R.L.S.

DATE: August 9, 2006  
TO: Plan Commission  
FROM: Larry D. Nelson, P.E., City Engineer  
SUBJECT: 309 West Washington Avenue Rezoning

The City Engineering Division has reviewed the subject development and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

- |                                                                                                                                                                                                                                                                                                                          |
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| <ol style="list-style-type: none"> <li>1. Any damage to pavement on East Washington Avenue, Henry Street or Main Street will require restoration in accordance within City Engineering's Patching Criteria.</li> <li>2. Proposed sanitary manhole on Broom Street shall be done with a developer's agreement.</li> </ol> |
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**GENERAL OR STANDARD REVIEW COMMENTS**

In addition, we offer the following General or Standard Review Comments:

**Engineering Division Review of Planned Community Developments, Planned Unit Developments and Conditional Use Applications.**

Name: 309 West Washington Avenue Rezoning

**General**

- 1.1 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.
- 1.2 The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
- 1.3 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.
- 1.4 The site plan shall identify the difference between existing and proposed impervious areas.
- 1.5 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.
- 1.6 The site plan shall include a full and complete legal description of the site or property being subjected to this application.



Right of Way / Easements

- 2.1 The Applicant shall Dedicate a \_\_\_\_\_ foot wide strip of Right of Way along \_\_\_\_\_.
- 2.2 The Applicant shall Dedicate a \_\_\_\_\_ foot wide strip of Right of Way along \_\_\_\_\_.
- 2.3 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping \_\_\_\_\_ feet wide along \_\_\_\_\_.
- 2.4 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.
- 2.5 The Applicant shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement \_\_\_\_\_ feet wide from \_\_\_\_\_ to \_\_\_\_\_.
- 2.6 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from \_\_\_\_\_ to \_\_\_\_\_.
- 2.7 The developer shall be responsible for the ongoing construction and maintenance of a path within the easement. The maintenance responsibilities shall include, but not be limited to, paving, repaving, repairing, marking and plowing. The developer shall work with the City of Madison Real Estate Staff to administer this easement. Applicable fees shall apply.

Streets and Sidewalks

- 3.1 The Applicant shall execute a waiver of notice and hearing on the assessments for the improvement of [roadway] \_\_\_\_\_ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.2 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along \_\_\_\_\_.
- 3.3 **Value of sidewalk installation under \$5000.** The Applicant shall install public sidewalk along \_\_\_\_\_. The Applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later.
- 3.4 The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along [roadway] \_\_\_\_\_ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.5 The Applicant shall grade the property line along \_\_\_\_\_ to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The Applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development.
- 3.6 The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
- 3.7 **Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation.** The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees.
- 3.8 The Applicant shall make improvements to \_\_\_\_\_ in order to facilitate ingress and egress to the development. The improvement shall include a (Describe what the work involves or strike this part of the comment.) \_\_\_\_\_.
- 3.9 The Applicant shall make improvements to \_\_\_\_\_. The improvements shall consist of \_\_\_\_\_.
- 3.10 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.
- 3.11 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.
- 3.12 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.

- 3.13 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.
- 3.14 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.~~
- 3.15 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.
- 3.16 All work in the public right-of-way shall be performed by a City licensed contractor.
- 3.17 Installation of "Private" street signage in accordance with 10.34 MGO is required.

#### Storm Water Management

- 4.1 The site plans shall be revised to show the location of all rain gutter down spout discharges.
- 4.2 Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer.
- 4.3 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.
- 4.4 The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
- 4.5 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.
- 4.6 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.
- 4.7 This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Inspection Unit may require individual control plans and measures for each building.
- 4.8 If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane Co Register of Deeds.
- 4.9 Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
  - Detain the 2 & 10-year storm events.
  - Detain the 2, 10, & 100-year storm events.
  - Control 40% TSS (20 micron particle).
  - Control 80% TSS (5 micron particle).
  - Provide infiltration in accordance with NR-151.
  - Provide substantial thermal control.
  - Provide oil & grease control from the first 1/2" of runoff from parking areas.

Stormwater management plans shall be submitted and approved by City Engineering prior to sign-off.

- 4.10 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.
- 4.11 A portion of this project comes under the jurisdiction of the US Army Corp of Engineers and WDNR for wetland or flood plain issues. A permit for those matters shall be required prior to construction on any of the lots currently within the jurisdictional flood plain.
- 4.12 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) Version 2001 or older, MicroStation (dgn) Version 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](mailto:lzenchenko@cityofmadison.com) . Include the site address in this transmittal.

- 4.13 NR-151 of the Wisconsin Administrative Code will be effective on October 1, 2004. Future phases of this project shall comply with NR 151 in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the three (3) options provided below:

Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicated a maximum of 1% of the site area to active infiltration practices.

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

- 4.14 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.

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).

- 4.15 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.

#### Utilities General

- 5.1 The Applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The Applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.
- 5.2 The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
- 5.3 All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.
- 5.4 The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
- 5.5 The site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right-of-way.
- 5.6 The developer shall provide information on how the Department of Commerce's requirements regarding treatment of storm water runoff, from parking structures, shall satisfied prior to discharge to the public sewer system. Additionally, information shall be provided on which system (storm or sanitary) the pipe shall be connected to.

#### Sanitary Sewer

- 6.1 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.

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- 6.2 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.
- 6.3 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
- 6.4 The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size and alignment of the proposed service.



TO: Members of the Plan Commission  
FROM: Hickory R. Hurie  
SUBJECT: Analysis of request for major modification re: Block 51/Cap West  
DATE: September 14, 2006

**SUMMARY:**

Alexander Company has proposed a change in their Block 51 development that affects the earlier iz waiver recommendation acted upon by the Plan Commission. The requested change adds four units to the total for the development and increases the average sales price per unit to \$299,000.

Alexander seeks a modification in their previously approved partial waiver of the inclusionary zoning requirements for the project due to the tight site constraints, projected costs of the building, and the lack of financial feasibility due to the limited density of the project.

Staff recommend Plan Commission modification of the prior waiver arrangement to retain the same number of on-site inclusionary units for the development (18 iz units) , and increase the number of units for a payment in lieu by one, while using the new projected average sales price per unit, for a total in lieu payment of \$209,300.

This analysis for an inclusionary zoning waiver is based upon data furnished by the developer and by the Planning Unit during July and August 2006.

**METHOD OF ANALYSIS:**

The Council adopted a waiver provision as part of the inclusionary dwelling unit ordinance that requires an analysis of project financial feasibility. The method consists of running three or more scenarios, using data provided by the developer. The first run is based upon a scenario whereby the project, using current zoning levels, is set at market rate rentals. If this version is financially feasible according to the standards adopted by the Common Council, the project is then run with the full 15% inclusionary dwelling units included in the project. If this full IZ scenario does not meet the Council standards for financial feasibility, staff are to recommend a third 'waiver' scenario with attributes (a combination of a partial percentage of IZ units, with units off-site, or payment in lieu of units on-site or reduction of expected number of units) that will provide a sufficient return for financial feasibility.

**MODIFIED IZ SCENARIOS WITH FEWER IZ UNITS OR PAYMENT IN LIEU:**

As in the previously approved conditions, staff discussed with Alexander Company options of providing the inclusionary units and concluded that the provision of new off-site units was not likely, given ownership control in the area.

**CONCLUSION:**

Based on current information and the same level of TIF assistance, staff recommend that the developer provide a total of 18 inclusionary dwelling units on the site (2 in the Broom St Lofts and 16 in the 309 Tower) and pay \$209,300 as a payment in lieu of the 7 'waived' on-site units. This recommendation is conditional upon the same level of TIF as the prior recommendation. The waiver payment was calculated on a formula defined in the ordinance (10% of the average projected value of all units in the development).



## Traffic Engineering and Parking Divisions

David C. Dryer, P.E., City Traffic Engineer and Parking Manager

Suite 100  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2986  
Madison, Wisconsin 53701-2986  
PH 608 266 4761  
TTY 866-704-2315  
FAX 608 267 1158

August 31, 2006

TO: Plan Commission

FROM: David C. Dryer, P.E., City Traffic Engineer and Parking Manager

SUBJECT: 309 West Washington Avenue – Rezoning – PUD (SIP) to Amended PUD (SIP) – Major Alteration Additional One (1) Floor to Main Tower, Two (2) Floors to Parking Structure and Minor Site Plan Alterations

The City Traffic Engineering Division has reviewed the subject development and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. The existing zoning of the property includes a 13-foot setback along Broom Street, reserved for future transportation purposes shall be shown on site plans for Broom Street.
2. The City-County radio systems (911, etc.) managed by the City use microwave directional paths to remote towers countywide. If a building's location and height impact these paths, the development may be required to make accommodations for the radio systems. Exact elevation plans will need to be reviewed by the Traffic Engineer to determine any impacts and accommodations. The applicant will need to submit grade and elevations plans prior to sign-off to be so they can be reviewed and approved by Keith Lippert, (266-4767) Traffic Engineering Shop, 1120 Sayle Street. The additional floor brings the 309 West Washington Avenue building to 1027.5 ft above sea level. The building now is 3.4 ft taller than 333 West Washington Avenue. The building's additional floor, has been determined, the City Communications office will need to relocate the Dane County's microwave dish higher at a cost of about \$15,000. Based on our consultations with the Attorney's office, any costs would be developer related costs. ***The Developer shall post a deposit \$15,000 and reimburse the City for all costs associated with any modifications required to relocate the Dane County's microwave dish.***
3. A condition of approval shall be that no residential parking permits will be issued for 309 West Washington Avenue, this would be consistent with projects. In addition, the applicant shall inform all owners and/or tenants of this facility of the requirement in their condominium documentation, apartment leases and zoning text; however, the designated inclusionary dwelling units at 309 West Washington Avenue, shall be eligible for residential parking permits according to the inclusionary zoning. The applicant shall provide addresses and apartment numbers for designated inclusionary dwelling units, eligible for residential parking permits to City Traffic Engineer/Parking Manager. The applicant shall note in the Zoning

Text the inclusionary zoning dwelling units.

4. If parking to the general public is approved, provision shall be made to ensure that parking rates in the commercial project are coordinated with those in City facilities. The applicant shall submit a copy of rates for review and approval of the City Traffic Engineer and Parking Manager. The applicant shall add the above condition to the Zoning Text for Phase 1, 2, & 3.
5. The developer shall work with the City to resolve construction-related issues. The construction-related issues are not yet resolved, so staff cannot commit to anything until it can perform a detailed review, but staff will work with the developer to do so.

#### **GENERAL OR STANDARD REVIEW COMMENTS**

In addition, we offer the following General or Standard Review Comments:

6. 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 two (2) feet overhang, and a scaled drawing at 1" = 20'.
7. The applicant shall submit ramp plan sheets complying with M.G.O. The plan sheets shall total number of provided and require parking space.
8. The Developer shall post a deposit and reimburse the City for all costs associated with any modifications to Street Lighting, Signing and Pavement Marking including labor and materials for both temporary and permanent installations.
9. 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 John Leach, City Traffic Engineering at 267-8755 if you have questions regarding the above items:

Contact Person: Thomas Miller  
Fax: 608-258-5599  
Email: [tcm@alexandercompany.com](mailto:tcm@alexandercompany.com)

DCD:DJM:dm



**William Roberts**

**From:** Brad Murphy  
**Sent:** Wednesday, September 06, 2006 9:03 AM  
**To:** William Roberts  
**Subject:** FW: 300 blk W. Washington

fyi and case file.

---

**From:** Keith Lippert  
**Sent:** Wednesday, September 06, 2006 8:43 AM  
**To:** Brad Murphy; mcvicar.WISCON.Internet@cityofmadison.com  
**Subject:** 300 blk W. Washington

Below is what I sent out and received and undeliverable notice from your address. Trying again.

To all concerned parties,

Concerning the email referencing information first presented in 12/2004. At this time height information was derived from FCC licenses which are considered satisfactory if within + or -10%. It was after this time that we had City Engineering do a survey to determine exact height as we are now dealing with inches and not feet. There has been corrected figures since 2004 and have been forwarded to Alexander Co. in various communications.

At the last height proposed, the highest building (333 W. Washington) was at 1024.1' above sea level. City microwave path passes this site at 1037.3' ASL = 13.2' clearance. Dane County path passes this site at 1026.7' ASL = 2.6' clearance. (ASL = Above Sea Level)

The new amended proposal increases the height of 309 W. Washington to 1027.5' ASL. This still allows clearance for the City of Madison path but exceeds the maximum tolerance of the Dane County path by .8'. Where this measurement appears small, you can not drive an 8' wide truck through a 7' 6" door. At 1027.5' the county's signal becomes compromised.

The path in question of Dane County carries signals for the City of Madison/Dane Co. Mobile Data System, 3 Sheriff channels, 3 fire channels and 3 EMS channels. The present City of Madison microwave is not capable of also carrying what is on the Dane County microwave. If the new amended height of 309 W. Washington is accepted, then the Dane County path will have to be moved / replaced.

Respectfully,

Keith Lippert  
 Communications Operations Supervisor  
 Phone: (608) 266-4767  
 Fax: (608) 266-4774  
 klippert@cityofmadison.com

—Original Message—

**From:** John Leach  
**Sent:** Wednesday, September 06, 2006 7:30 AM  
**To:** 'Miller, Tom'  
**Cc:** Brad Murphy; Keith Lippert; Bock, Natalie; Jeanne Hoffman; Dan McCormick; Plummer@co.dane.wi.us; carlson.scott@co.dane.wi.us; sracic@co.dane.wi.us; nebel@co.dane.wi.us; David Dryer  
**Subject:** RE: 300 blk of W. Washington Ave.

9/6/2006

After The City receives written review and comments from Rich McVicar/Duke Ellingson, Dane Co 911 and Keith Lippert. I will review with TE staff.

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Thanks

—Original Message—

From: Miller, Tom [mailto:[tcm@alexandercompany.com](mailto:tcm@alexandercompany.com)]

Sent: Tuesday, September 05, 2006 5:31 PM

To: John Leach

Cc: Brad Murphy; Keith Lippert; Bock, Natalie; Jeanne Hoffman; Dan McCormick; Plummer@co.dane.wi.us; carlson.scott@co.dane.wi.us; sracic@co.dane.wi.us; nebel@co.dane.wi.us; David Dryer

Subject: RE: 300 blk of W. Washington Ave.

Thanks John,

I will touch base with Keith Lippert and Rich McVicar/Duke Ellingson. If determined by these gentlemen that we do not impede the path of transmission am I correct in presuming you will amend your requirement to relocate the transmitter(s)?

TM

—Original Message—

From: John Leach [mailto:[JLeach@cityofmadison.com](mailto:JLeach@cityofmadison.com)]

Sent: Tuesday, September 05, 2006 1:13 PM

To: Miller, Tom

Cc: Brad Murphy; Keith Lippert; Bock, Natalie; Jeanne Hoffman; Dan McCormick; Plummer@co.dane.wi.us; carlson.scott@co.dane.wi.us; sracic@co.dane.wi.us; nebel@co.dane.wi.us; David Dryer

Subject: RE: 300 blk of W. Washington Ave.

Mr. Miller

Please, note Dane County's equipment is lower on the tower and you maybe have an impact. You should contact Rich McVicar and Duke Ellingson of Dane County 911 Center to review your proposal. You should submit a letter of approval from Dane County 911 Center to be considered in this matter. In addition, Keith Lippert should review elv. And approve the amended building elv. for the City of Madison.

Please reviewed attached letter from Keith Lippert.

—Original Message—

From: Miller, Tom [mailto:[tcm@alexandercompany.com](mailto:tcm@alexandercompany.com)]

Sent: Tuesday, September 05, 2006 12:12 PM

To: John Leach; Dan McCormick

Cc: Brad Murphy; Keith Lippert; Bock, Natalie; Jeanne Hoffman

Subject: FW: 300 blk of W. Washington Ave.

Importance: High

John and Dan,

As can be seen in the memo below, from December 14th 2004, the 333 building was determined to be more than 25' below the path of transmission of the 911 microwave communications and the 309 building was lower than the 333 Building. Our current proposal for the 309 building has a high point of 181-10-1/8" above city datum; this still provides a clearance of over 22' for the communications path.

Additionally, the Metropolitan Place Tower across the street on West Washington Avenue) is more than 4' higher, above city datum, than the highest point (elevator shaft) on the currently proposed 309 W. Washington building. The information provided to us from Keith Lippert indicates that if the Metropolitan Place Tower does not block transmission than our building will not if it is of equal height or lower (which it is), in fact the transmission path is well above the Capitol View Preservation Limit and no portion of our proposed building is above this limit: the highest point of the building is at elevation 181' 10-1/8", CVPL is 187.2' and the transmission

9/6/2006

path is at 204.4'  
based on information we have received from City Staff.

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Based on this information and previous Staff determinations we see no reason why the Capitol West project should pay to relocate the 911 communication transmitter(s).

Can you tell us what information you have received recently that contradicts what we had all learned in 2004 regarding this issue?

Thanks,

TM

—Original Message—

From: David Dryer [mailto:[ddryer@cityofmadison.com](mailto:ddryer@cityofmadison.com)]

Sent: Tuesday, December 14, 2004 3:06 PM

To: [tcm@alexandercompany.com](mailto:tcm@alexandercompany.com); Mike Verveer; Brad Murphy; Dave Cieslewicz; Jeanne Hoffman; Larry Nelson; Mark Olinger; [brendakonkel@yahoo.com](mailto:brendakonkel@yahoo.com)

Cc: Dan McCormick; TN File

Subject: Fwd: 300 blk of W. Washington Ave.

Importance: High

\*\* High Priority \*\*

To All:

In anticipation of the Council meeting tonite, Communications Staff met with reps of the Alexander Co. This was to discuss the issue of microwave paths for emergency and public works communication needs and Alexanders proposed buildings.

While the Conditions of approval are to finalize this issue at the SIP stage Staff proceeded early and did investigate the issue. Our findings, based on the information provided, are that the mwave path clears the building—by approx. 25 feet—and the development project should not pose a problem communications.

11. ID# 36837

Creating Section 28.06(2)(a)3010 of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Future Mixed Use Development. 4th Ald. Dist., 309-333 West Washington Avenue and 306 West Main Street.

Sponsor: COMMON COUNCIL BY PETITION

RECOMMENDED ACTION: ADOPT

Report Item No. 4

Keith Lippert  
City of Madison Communications  
Communications Operations Supervisor  
phone 608-266-4767  
fax 608-266-4774  
[klippert@cityofmadison.com](mailto:klippert@cityofmadison.com)

9/6/2006

David C. Dryer, P.E.  
City Traffic Engineer  
Madison, WI

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Keith Lippert  
Communications Operations Supervisor  
Phone: (608) 266-4767  
Fax: (608) 266-4774  
[klippert@cityofmadison.com](mailto:klippert@cityofmadison.com)

**Brad Murphy**

**From:** Cooper, Jonathan D - WHS [Jonathan.Cooper@wisconsinhistory.org]  
**Sent:** Wednesday, September 13, 2006 1:09 PM  
**To:** Brad Murphy  
**Cc:** Bock, Natalie; Mike Verveer; Brown, Lee; Brown, Tom; Christensen, Dory; LeMahieu, Peggy; May, Mike/Katharine; Mitchell, Julie; Moritz, S.; Ostlind, Peter  
**Subject:** Plan Commission Review of Capitol West SIP -- Major Alterations

September 13, 2006

Mr. Brad Murphy  
 Dept. of Planning and Development  
 City of Madison  
 215 Martin Luther King Blvd.  
 Madison, WI 53701

Re: Plan Commission Review  
 Capitol West SIP – Major Alterations

Dear Mr. Murphy:

The Alexander Company will be bringing a number of proposed changes in the SIP for the Capitol West development to the Plan Commission at the commission's Sept. 18, 2006, meeting. As chair of the Bassett Neighborhood Capitol West Steering Committee, I wish to bring a number of concerns relating to this project to the attention of the Plan Commission. Many of these concerns relate to conditions attached to the original approval of the GDP for this project which the neighborhood feels remain outstanding and unfulfilled. The neighborhood's concerns are detailed below.

Overall the neighborhood is supportive of the alterations that the Alexander Company has requested including; the additional floor on the 309 W. Washington building, the changes to the exterior façade and HVAC system of 309 W. Washington, the additional 70 underground parking stalls, the changes to the façade along Henry Street as approved by the Urban Design Commission.

**Loading zone:** Condition #56 of the Plan Commission approval of the GDP intended to provide an off street loading area for large delivery vehicles such as semi tractor moving vans. The Alexander Company has made changes to the entrances to the parking garage that no longer make the specific details of Condition #56 possible. However, the intent of this condition can be met by modifying the single parallel loading area shown on the current plan for Washington Place (see attached diagram). Removal of the projecting curb on the south end of the loading zone will allow larger trucks to utilize this area for loading. The overall length of this area will be 68 ft. On days when a loading zone for a larger truck is required the adjacent parking stalls can be posted 'no parking'. At all other times the 35 ft. loading zone and car parking will be available. This minor modification can achieve the intent of the original condition of approval while maintaining public parking.

**Rain catchment system:** Condition #61 requires a detailed rain catchment system for all components of Phase 1. Currently the only rain catchment system proposed consists of a series of 10 rain barrels for the Capitol Court Town Homes buildings with no identified downspout/gutter system. (This rain catchment system has only been described verbally, the current plans show all storm water discharging

directly to the storm sewer.) These installations would collect rainwater from the slightly more than 5% of the project surface covered by these town homes. An effective rain catchment system needs to be detailed.

**Green roof:** The applicant has long promoted this project as having green roofs. Plan A1.12 shows two areas that, as best we can tell, are supposed to be green roofs but these areas are not labeled as such. We would request that these green roof areas be specified clearly in the approved plans for the project.

**Water feature:** Only one of the water features originally proposed for this project was included in the approved GDP for Phase 1. This feature is now being proposed for elimination. This single water feature is an integral part of the public amenities included in Phase 1 and should be retained. The cost of retaining this water feature is insignificant when compared to the money that will be saved from other changes to Phase 1 that have been requested.

**Bike parking:** Condition #60 of the Plan Commission approval of the GDP states "the total quantity of bicycle parking spaces for residents shall be equal to the number of bedrooms in the dwelling units to be constructed." What is currently proposed is 142 "standard stalls" with an additional 136 stalls identified as "owner upgrade options," i.e. wall-mount racks that will only be installed if the owner pays an additional amount for their installation, for a potential total of 278 bike stalls. We do not feel that the optional stalls fulfill the requirements of this condition to the GDP approval and would request that the applicant be required to incorporate into their plans the number of bike stalls required by this condition.

**Auto parking:** An additional 70 stalls are being proposed. The applicant states in their alteration to the approved SIP that these additional 70 stalls are intended to "alleviate the cost of providing parking in later phases, and to potentially alleviate the burden on existing parking in the neighborhood from existing uses, i.e. Network 222, and the Baskerville Condominiums." Our concern is that this leasing of parking to off-site parties potentially reduces the overall number of spaces available to owners of condominium units in the Capitol West project. We would request that the approved plans for the Capitol West project make clear that the number of parking stalls available to residents of the Capitol West development must not be reduced below the number originally approved.

**Tree protection plan:** To date, the street trees along West Washington and West Main have not been effectively protected as was required by Condition #64 of the Plan Commission approval of the GDP. Seven of the eight trees in areas affected by Phase 1 construction are now designated to be removed. The neighborhood is concerned that these trees were not properly protected, as the Plan Commission instructed in Condition #64 of their approval the GDP for this project, with the likely result that the unprotected trees will be lost and the tree canopy which lines both sides of the 300 block of West Washington Avenue will be irreparably harmed.

**Alternate features:** The screens between the Main Street Townhouses and the cable systems at the Capitol Court Townhouses are both listed as "alternate features" on the plans submitted for the requested alterations. The neighborhood would request that the plans for this project designate these features as being part of the approved project, not possible additions to the project.

In summation, the members of the Bassett Neighborhood Capital West Steering Committee would like the Plan Commission to include the following points in their approval of the proposed alterations to the Capitol West Phase I SIP:

1. The applicant should be required to fulfill the requirement of Condition #56 of the GDP approval by providing an off street loading area for large delivery vehicles such as semi tractor moving vans. Such can be accommodated on Washington Place as shown on the accompanying diagram.

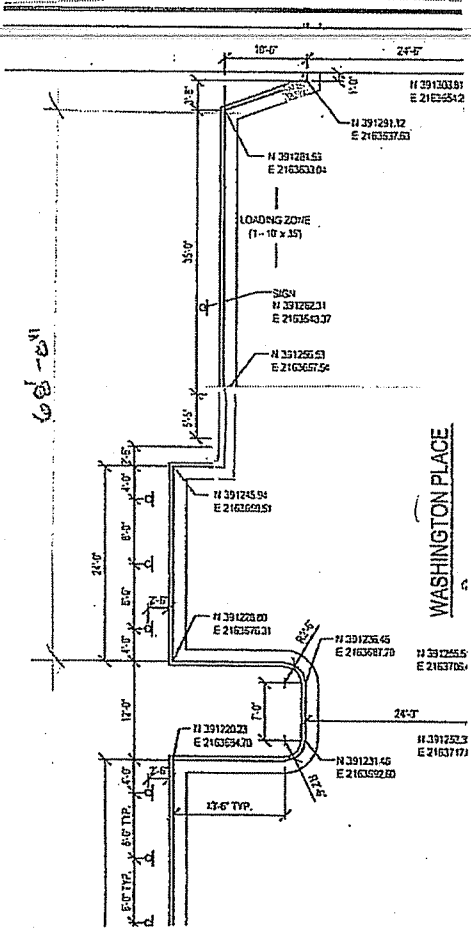
- ~~2. An effective rain catchment system be detailed in the approved plans for Capitol West Phase I as required by the Plan Commission in their Condition #61 of the approved GDP. Green roof areas must be clearly identified as such in the approved plans.~~
3. As the sole remaining water feature of those originally proposed, the water feature included in the approved GDP for this project should be retained.
4. The number of bike parking stalls designated by Condition #60 of the approved GDP should be installed. None of these required bike stalls should be optional add-ons.
5. The number of automobile parking stalls required by the approved plans for the Capitol West project must be retained above and beyond any parking stalls constructed for off-site lessees.

Thank you for your consideration of these concerns.

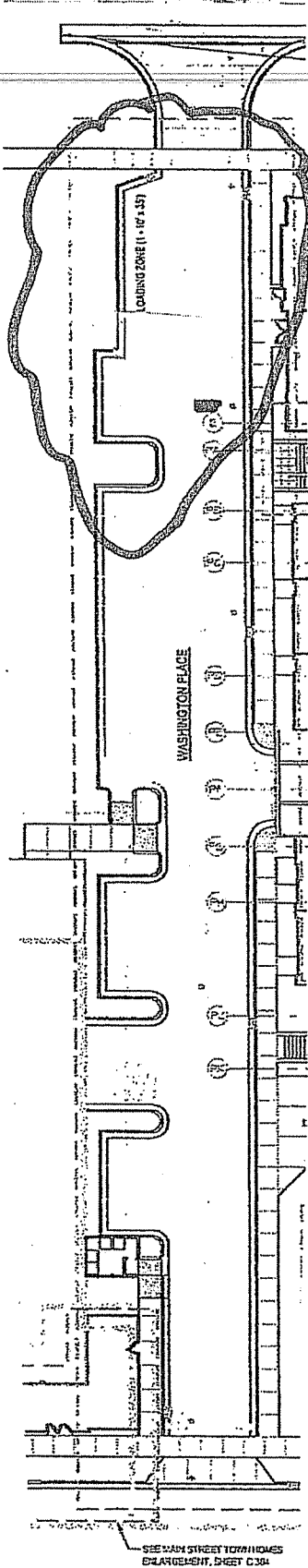
Sincerely,

Jonathan D. Cooper  
Chair, Bassett Neighborhood Capitol West Steering Committee,  
Capitol Neighborhoods

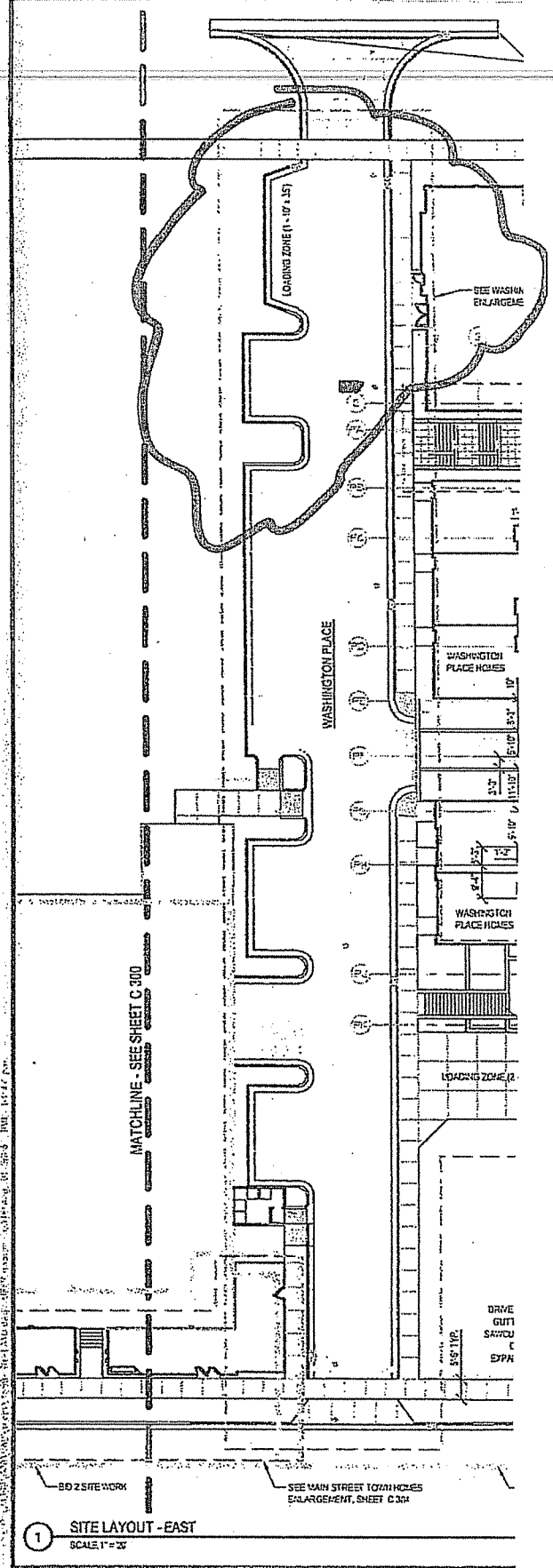
Cc: Ald. Mike Verveer  
Natalie Bock  
Capitol West Steering Committee



Detail



Proposed Large Truck Loading Zone  
68' x 10'



Current loading zone 30' x 10'

Proposed Large Truck Loading Zone





Department of Planning & Development  
**Planning Unit**

Madison Municipal Building  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2985  
Madison, Wisconsin 53701-2985  
TDD: 608 266 4747  
FAX: 608 267 8739  
PH: 608 266 4635

December 15, 2004

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

SUBJECT: 309-333 West Washington Avenue – “Capitol West”

Dear Mr. Miller:



The Common Council, at its December 14, 2004 meeting, conditionally approved your application for rezoning from PUD(SIP) to Amended PUD(GDP-SIP) for property located at 309-333 West Washington Avenue.

The conditions of approval are:

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

1. The existing zoning of the property includes a 30-foot setback along Broom Street, reserved for future transportation purposes, which does not allow construction of buildings on Lot 1. The disposition of the 30-foot reservation along Broom Street will need to be resolved as part of the SIP application per the Plan Commission.

The Plan Commission, at the SIP stage, will have to decide what to do with the 30-foot setback along Broom Street, recognizing that it has been the City's longstanding policy to require a 30-foot setback along Broom Street, and that whatever decision is made that it affect the entire corridor. There are several other properties along Broom Street that have the same 30-foot setback. Any decision with this rezoning will affect those properties in a similar fashion.

2. When the applicant submits final PUD(SIP) plans for review, the applicant shall comply with City of Madison M.G.O. 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). Class 3 driveway approaches to lots, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 40'.

3. The developer shall post a deposit or reimburse the City for all costs associated with any modifications to Street Lighting, Signing and Pavement Marking 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.
5. The Plan Commission directed that final building heights (specifically 333 West Washington Avenue) shall be determined upon review of the SIP application giving appropriate consideration to the requirements of City and County emergency communication systems, including possible rooftop easements and communication system repeater equipment.

**PLEASE CONTACT GARY DALLMANN, CITY ENGINEERING, AT 266-4751 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING SEVEN ITEMS:**

6. The City Engineer shall provide numerous comments and requirements for stormwater management and sanitary sewer, when more detailed plans are available.
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 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 the 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.
9. 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.
10. The applicant shall replace all sidewalk and curb and gutter abutting the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
11. 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.

12. 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) 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.)

Note: Email file transmissions preferred: [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com)

**PLEASE CONTACT KATHY VOECK, THE ASSISTANT ZONING ADMINISTRATOR, AT 266-4551 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING TWO ITEMS:**

13. Inclusionary Zoning approval is required.
14. Future development of the phases will require rezoning to Amended PUD(GDP)(SIP) and Inclusionary Zoning approval prior to building permit issuance.

**PLEASE CONTACT BILL ROBERTS OR BRAD MURPHY OF THE PLANNING UNIT STAFF AT 266-4635 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING EIGHT ITEMS:**

15. As required by City Ordinance, a recycling/reuse plan shall be submitted to and approved by the City's Recycling Coordinator prior to any demolition permits occurring on this site.
16. The Planned Unit Development-Specific Implementation Plans for new buildings shall be reviewed, approved and recorded prior to the issuance of any demolition permits for this site.
17. Final detailed Inclusionary Dwelling Unit Plans (IDUP) shall be submitted along with each PUD-SIP proposal. The applicant's requests for incentives related to residential parking permits for the inclusionary units are granted. The level of tax incremental financing support for this project has yet to be determined and will require separate approvals by the Common Council. The IDUP shall be revised to provide inclusionary units at two income levels for all elements of the project that are less than four stories. This document shall be recorded with the GDP.
18. If not already submitted, a final transportation demand management plan and traffic impact analysis shall be prepared and submitted with the SIP proposals.
19. The buildings shall not encroach into the Capital View Height Preservation Limits.
20. The proposed Broom Street townhouse element within the existing building setback along Broom Street shall be permitted only if supported by the Plan Commission and Common

Council. The Plan Commission directed that this condition of approval be deferred until the SIP application is reviewed and a final determination of the required setbacks along South Broom Street have been determined.

21. The Plan Commission directed that maximum height for the building at 333 West Washington Avenue shall be reduced from 14 to 13 stories, subject to final Urban Design Commission approval.
22. The Plan Commission directed that in order to compensate for the reduced height of 333 West Washington Avenue, buildings along South Henry Street may be increased to 7 stories, subject to final Urban Design Commission approval.

**PLEASE CONTACT AL MARTIN, STAFF TO THE URBAN DESIGN COMMISSION, AT 266-4635 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING ITEM:**

23. Final approval of the Urban Design Commission is required.

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

24. As SIPs are phased in, the developer shall pay the following fees in lieu of dedication, plus park development fees:

Dedication Requirement = 400 multi-family @ 700 square feet/unit = 280,000 square feet.  
The developer shall pay a fee in lieu of dedication based on the land value of the square footage required (up to a current maximum of \$1.58/square foot). Estimated fee is \$442,400.

Park Development Fees = 400 @ \$464.85 = \$185,940.

TOTAL PARK FEES = \$628,340.

These fees are substantial because the project is ten times larger than more typical downtown infill projects. However, the developers can pay in phases prior to each SIP signoff, or pay half and provide letters of credit for half to spread payments over several years.

25. The amount of rooftop and plaza space shown in the plans is essential for developments at these densities near 100 units per acre. The useable private open spaces shall be required and may help relieve some drainage and environmental concerns. They are not sufficient to receive credit toward the parkland dedication and development fees for this project.
26. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. There are potential conflicts between existing and proposed street trees and emergency fire access for this development. These conflicts shall be resolved without requiring the removal of street trees unless specifically approved by the City Forester. Permission for any activities involving public trees must be obtained from the City Forester, 266-4816.

**PLEASE CONTACT JOHN LIPPITT, MADISON FIRE DEPARTMENT,  
AT 261-9655 IF YOU HAVE QUESTIONS REGARDING THE  
FOLLOWING FIVE ITEMS:**

27. The fire lanes shown on the proposed site plan do not comply with s. Comm 62.0500, Wis. Admin. Code, and MGO 34.19; the owner must receive approval of a Petition for Variance from the City of Madison Board of Building Code, Fire Code and Licensing Appeals prior to construction of this project. If the Board does not approve the Petition for Variance, the owner must submit revised code compliant site plans for MFD approval. The MFD will provide a favorable position statement for the variance, as the owner has committed to provide complete sprinkler fire protection in all buildings within the development to provide for an equivalency.
28. The site plan shows new buildings located between the existing building or structure and the street; the owner must ensure the new construction does not create a violation of the building code, which was in effect at the time the existing building was constructed. This issue should be researched by the design team and reviewed with the Building Inspection Unit prior to further development of the project.
29. Fire alarm system, standpipe systems and automatic fire sprinkler systems are required for this project. Ensure contractors submit applications for work permits along with construction documents for all fire protection and/or life safety systems as specified in MGO 34.34, to the MFD for approval prior to installation.
30. The MFD does not object to this proposal provided the project complies with all applicable building codes, fire codes and ordinances.
31. Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" and a copy of the approved variance with the site plan submittal.

**PLEASE CONTACT TIM SOBOTA, MADISON METRO TRANSIT AT  
261-4289 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING  
FIVE ITEMS:**

32. The applicant shall install a concrete passenger boarding pad on the east side of 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.
33. 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 the concrete passenger boarding pad described above. Metro Transit initiated this comment during a pre-submission meeting with the applicant. The landscape plan submitted by the applicant shows a passenger waiting shelter on City right-of-way between the curb and sidewalk. Placement of privately installed and maintained property on public right-of-way would require separate review and approval of additional City agencies, including City Real Estate and City Engineering. Such passenger amenity requests are typically fulfilled with the applicant installing the items on private property behind the sidewalk. It is Metro Transit's recommendation that the applicant

further review the potential of placing this shelter and trash receptacle on private property. Wherever ultimately approved and sited, the passenger shelter shall meet minimum Americans with Disability Act requirements for size and access. If installed on City right-of-way between the curb and sidewalk, the trash receptacle and passenger shelter may not obstruct a six-foot zone of concrete pad between the curb and sidewalk on the north end, nearest the crosswalk.

34. 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.
35. 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. There are two bus stops on the south side of West Washington Avenue, east of Broom Street (#0989) and west of Henry Street (#0235). Both stops on West Washington Avenue have passenger waiting shelters currently.
36. The proposed cut-out on the south side of West Washington Avenue, west of Henry Street at the ten story building, may conflict with the bus loading zone. The developer may need to coordinate the relocation of the passenger waiting shelter to the east, closer to the corner, to mitigate this conflict. Relocation of the shelter would also require the installation of a new concrete slab and passenger boarding pad area.

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 five (5) sets of the complete site plans, building elevation and floor plans 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.

When these conditions have been satisfied, bring in the revised plan originals to obtain signatures on the cover sheet from the following reviewing departments: City Engineering, Traffic Engineering, Zoning and Planning. After this is accomplished, submit the final plans and documents for recording to the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard.

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.

Mr. T. Miller  
12/15/04

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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 Sec. 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 George Carran, Zoning Administrator, at 266-4551.**

Sincerely,



Bill Roberts  
Planner IV

Traffic Engineering
City Engineering
Water Utility
Zoning
Planning (BR)
Urban Design Commission (AM)
Metro Transit

c: Zoning Administrator  
City Engineering  
Traffic Engineering



Department of Planning & Development  
**Planning Unit**

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

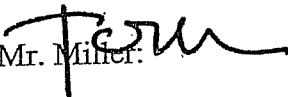

Madison Municipal Building  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2985  
Madison, Wisconsin 53701-2985  
TDD 608 266 4747  
FAX 608 266-8739  
PH 608 266-4635

July 20, 2005

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

SUBJECT: 309-333 West Washington Avenue – “Capitol West”

Dear Mr. Miller:

The Common Council, at its July 19, 2005 meeting, conditionally approved your application for rezoning from PUD-GDP-SIP to Amended PUD(GDP-SIP) for property located at 309-333 West Washington Avenue and 306 West Main Street.

The conditions of approval are:

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

1. The City-County radio systems (911, etc.) managed by the City use microwave directional paths to remote towers Countywide. If a building's location and height impact these paths, the development may be required to make accommodations for the radio systems. Exact elevation plans will need to be reviewed by the Traffic Engineer to determine any impacts and accommodations. The applicant will need to submit grade elevation plans prior to sign-off to be reviewed and approved by Keith Lippert, (266-4767) Traffic Engineering Shop, 1120 Sayle Street. In this case, if the building is 13 floors, with an exact elevation to be determined, the City Communications office will need to relocate the County's microwave dish higher at a cost of about \$15,000. If the building is higher than 13 floors (exact elevation still needed), we need to move the City's dish higher and make other associated changes at cost of about \$197,000. Based on our consultations with the Attorney's Office, any costs would be developer related costs.
2. That no residential parking permits will be issued to market rate units in this phase of development. The applicant shall inform all owners and/or tenants of this facility of this requirement in their condominium documentation, apartment leases and zoning text. However, all designated inclusionary dwelling units shall be eligible for residential parking permits according to the inclusionary zoning ordinance. The applicant shall provide addresses and apartment numbers for designated inclusionary dwelling units, eligible for residential parking permits to the City Traffic Engineer/Parking Manager. The applicant shall note in the zoning text the inclusionary zoning dwelling units.



3. If parking to the general public is approved, provision shall be made to ensure that parking rates in the commercial project are coordinated with those in City facilities.
4. The applicant shall not improve the right-of-way as proposed unless encroachment is approved by City of Madison Real Estate Division prior to plans being submitted for approval. Contact City Real Estate if you have questions.
5. 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 two (2) feet overhang, and a scaled drawing at 1" = 20'.
6. The applicant shall submit ramp plan sheets comply with M.G.O. The plan sheets shall total number of provided and required parking spaces.
7. All existing driveway approaches that are to be abandoned shall be removed and replaced with curb and gutter and noted for phase one or two on the plan.
8. The applicant shall show the dimensions for existing and proposed surface/underground parking stalls' items A, B, C, D, E, and F, and for ninety-degree angle parking with nine (9) foot wide stalls and backing up, according to Figures II "Medium and Large Vehicles" parking design standards in Section 10.08(6)(b)2.
9. The street type approaches shall be a special design "Street Type Entrance." The applicant shall provide a detail 1" = 20' detail drawing of the "Street Type Entrance" with plan sheets showing epoxy lane lines, crosswalks, stop bars and pavement markings details to be approved by the City Traffic Engineer. In addition, a note shall be shown on the plan, "ALL PAVEMENT MARKING SHALL BE INSTALLED IN EPOXY AND MAINTAINED BY THE PROPERTY OWNER."
10. "Stop" and "Right Turn Only" signs shall be installed behind the property line for West Washington Avenue and Broom Street approaches. Additional signs as "Do Not Block Sidewalk" shall be required behind the property line for all approaches. "Do Not Enter" and "One Way" signs shall be installed in the facility to secure the traffic operation at access points and traffic flow in site. "Ramp Full" signs shall be installed at the entrances to advise vehicles do not pull in and back onto the street or block street. The applicant shall install mirrors at the exit points where vision is blocked by an obstruction. All guide signage shall be shown on the plans. The applicant shall show all signs and pavement markings on the plan.
11. The driveway from the garage door to the street right-of-way shall be modified to provide for two-way operations at a minimum width of eighteen (18) feet in accordance with M.G.O. 10.08(6)(a)4. Contact City Traffic Engineering if you have questions.
12. The applicant shall submit with the parking lot plans a letter of operation of the type of ingress/egress control to the ramp and load dock area; a detail drawing of the areas showing queuing of at least three vehicles or two vehicles if gates or doors are closed from any approach that cars will not be blocking the sidewalk to the ramp. The applicant shall submit detail drawing of the ingress/egress areas showing signs, control devices, gates, and/or garage doors.

13. The applicant shall execute a modified waiver of notice and hearing on special assessments for future traffic signals, street lights and associated street improvements. The traffic signal waiver may also require a deposit for future area traffic signals and associated intersection changes.
14. The applicant shall remove, replace, and adjust street light poles on Broom Street, South Henry Street, Main Street and West Washington Avenue 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.
15. The proposed location of the truck loading and trash enclosure should be designed to accommodate truck service on-site that all trucks should be ingressing/egressing in a forward manner. The applicant shall note that Madison General Ordinance 10.08(a)6 requires all facilities to have adequate internal circulation in which no backing movement, except that required to leave a parking stall, is allowed. All parking facilities shall be designed so as not to utilize any portion of the public right-of-way except to permit ingress and egress in a forward manner: unless permitted by the Board of Public Works after the Board receives the recommendation of the City Traffic Engineer. This condition shall be approved prior to plans being submitted for approval, contact City Traffic Engineering for detail. Traffic Engineering staff will require a formal letter requesting the right to back off the street, (type of vehicles, reasons, hours of operation of the truck, etc.) and the applicant shall provide a 1" = 20' scale drawing and a drawing on an 8" by 11" sheet showing parking, parking stalls, pavement markings, type of truck turning and both sides of the street. If recommended by the City Traffic Engineer, staff will facilitate the approval of the Board of Public Works.
16. The developer shall post a deposit or reimburse the City for all costs associated with any modifications to Street Lighting, Signing and Pavement Marking including labor and materials for both temporary and permanent installations.
17. 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 TWENTY-ONE ITEMS:**

18. Street names and addresses need approval – Capitol Court – Capitol Court Mews – Washington ROW – all are unacceptable names. Capitol Court exists, Mews & ROW are invalid suffixes.
19. Upon securing ownership of all lands included in this development, Alexander Company shall submit for City approval, and record, a certified survey map which subdivides the land consistent with this plan.
20. Prior to approval, provide calculations of sanitary sewerage flow projections to the City Engineer. Approval shall be withheld until it is determined that capacity is available or the development agrees (Developer Agreement) to increase the capacity were needed.
21. 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 Acknowledgment prior to the City Engineer signing off on this project.
22. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
  23. 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.
  24. The site plan shall identify the difference between existing and proposed impervious areas.
  25. 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.
  26. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
  27. 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 the 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.
  28. The applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. 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.
  29. The applicant shall replace all sidewalk and curb and gutter abutting the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
  30. 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.
  31. All work in the public right-of-way shall be performed by a City licensed contractor.
  32. The site plans shall be revised to show the location of all rain gutter downspout discharges.
  33. 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.
  34. 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.
  35. 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) 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.)

Note: Email file transmissions preferred: [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com)

36. 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.
37. All outstanding Madison Metropolitan Sewerage District (MMSD) sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.
38. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size and alignment of the proposed service.

**PLEASE CONTACT KATHY VOECK, THE ASSISTANT ZONING ADMINISTRATOR, AT 266-4551 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING ELEVEN ITEMS:**

39. In the zoning text, the letter of intent and plans shall be consistent. The text and plans shall identify the number of dwelling units which will be in each building. Also, show gross square footage of retail and residential.
40. In the zoning text, in regard to permitted uses, "those uses that are stated in the residential district," identify which zoning district, and in the "office zoning" identify which office district.
41. In the zoning text, uses shall be listed in the zoning text, even if in the letter of intent.
42. In the zoning text, "signage will be allowed as per Chapter 31 of the Madison General Ordinances," add "as it relates to the C2 district."
43. Meet all applicable State accessible requirements including, but not limited to:
  - a. Provide accessible stalls striped and in the amount as required by the State. A minimum number of the stalls shall be van accessible stalls 8' wide with an 8' striped out area adjacent.
  - b. Show signage at the head of the stalls.
  - c. Show the accessible path from the stalls to the building or elevator, if in a parking garage.
  - d. Show dimensions on the stalls and drive aisles.
  - e. Show curbs/wheel stops, and/or ramps where required.

44. Section 28.04(24) provides that Inclusionary Zoning requirements shall be complied with as part of the approval process. Submit to Zoning a copy of the approved plan for recording prior to Zoning sign-off of the plat.
45. Show the maximum height on the elevation of the building elevation per City Datum. The buildings shall not exceed 187.2-feet City Datum.
46. Provide 85 bike-parking stalls for the 112-units and 4 stalls for the commercial portion of the building at 309 West Washington Avenue. Provide one stall for each unit in a residential building up to 50 stalls and half a stall for the number of stalls over 50 for the remaining residential buildings or portions of buildings. Provide one bike parking stall for each 10 car stalls that would be required for any commercial or office spaces. (Note: Car parking requirements would be one stall per each 300 square feet of gross floor area. Even though car parking is not required, bike parking is required per the amount that would be required if it were.) The bike parking stalls shall be 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: Bike stalls shall be a minimum dimension of 6' x 2' with a 5' access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices. Note: The bike rack shown in the 141 West Washington Row parking level does not meet the stall and access dimensions adequately.
47. Provide 3 (10' x 35') loading areas with 14' vertical clearance to be shown on the plan for 309 West Washington Avenue. The loading areas shall be exclusive of drive aisle and maneuvering space. (Two for residential portion of the building and one for the commercial portion of the building.)
48. Provide a detailed landscape plan. Show species and sizes of landscape elements. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances.
49. Lighting plans are required for this project. Provide a plan showing at least .25 footcandle on any surface of the lot and an average of .75 footcandles. (See City of Madison lighting ordinance.)

**PLEASE CONTACT BRAD MURPHY OR BILL ROBERTS OF THE PLANNING UNIT STAFF AT 266-4635 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING TWENTY-ONE ITEMS THAT WERE AMENDED BY THE PLAN COMMISSION:**

50. The SIP shall not be signed-off and recorded until the SIP for the Broom Street Lofts are approved by the Common Council.
51. The condominium area shall include a fitness center and concierge desk and be provided as part of the first phase building, unless waived by the Plan Commission. Condominium Common Areas including a community room shall be provided for in Phase II SIP and shall be made available to the homeowners in Phase I.
52. The pedestrian walkway bridge as shown on the approved GDP over Washington Row and parking area shall be a condition of approval for any SIP addressing construction at 333 West Washington Avenue.

53. All street lighting on each of the block faces, which have not yet been replaced, shall be modified as part of this project to incorporate Bassett Neighborhood Pedestrian Streetlight Standards and West Washington Avenue light standards.
54. Any modification to the pedestrian walkway extending from South Henry Street through the Capitol Court Mews and between 345 West Washington Avenue and the existing parking garage to South Broom Street that would restrict public access shall be considered as a major alteration to the PUD-SIP. Such modifications shall require approval by the Plan Commission at a public hearing.
55. All trash and recycling containers shall be located within enclosures.
56. As part of the Phase I construction the drive access from West Main Street to the new parking garage shall be designed, to the extent possible, to be wide enough to allow for parking large delivery vehicles and tractor trailer type moving vans without blocking the sidewalk or the street. As part of a future phase that constructs the building at 306 West Main Street, provisions shall be made to accommodate this same delivery parking area within the building structure. The overall delivery service capacity will be reviewed and approved by Traffic Engineering.
57. Air conditioning condensers for the West Main Street townhomes shall be located inside the parking structure adjacent to the townhomes where feasible.
58. A construction staging and parking plan shall be submitted and approved by the Traffic Engineer that minimizes cut-through traffic by construction vehicles on the residential streets of the Bassett Neighborhood west of Broom Street (specifically West Main Street, West Doty Street and West Wilson Street) for the duration of Phase I.
59. The Madison Environmental Group reuse and recycling plan shall be part of this approval.
60. The applicant shall provide a detailed diagram showing location and quantity of bicycle parking for residents within parking and/or storage spaces. The total quantity of bicycle parking spaces for residents shall be equal to the number of bedrooms in the dwelling units to be constructed.
61. Details of the rain catchment system for all components of Phase I shall be provided prior to issuance of building permits for this phase.
62. A bicycle ramp shall be provided as part of the grand stairs from Washington Row to the Capitol Mews.
63. All rooftop mechanicals shall be screened in a method acceptable to the Urban Design Commission.
64. The landscaping plans shall be modified to include provision of additional trees in the street terrace, and that the plans be revised to include a plan for protection of existing trees within the street terrace. (Planting in the right-of-way shall be subject to the prior approval of the City Forester.)
65. Installation of pedestrian scale street lighting that has been installed elsewhere in the (Bassett) neighborhood shall be included as part of each phase of construction as it is completed.
66. Inclusionary Zoning waiver option A2 shall be adopted subject to approval of the Broom Street lofts. The final Inclusionary Dwelling Unit Plan and associated documents shall be approved by the CDBG Office prior to recording of the SIP.

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

- 67. The developer shall pay \$263,321.49 for park dedication and development fees.
- 68. Park Fees shall be paid prior to SIP sign-off, or the developer may pay half the fees and provide a letter of credit for the other half.
- 69. Calculation of fees in lieu of dedication plus park development fees:

Park dedication = (159 multi-family @ 700 square feet/unit) = 111,300 square feet. The developer shall pay a fee in lieu of dedication based on the land value of the square footage of parkland required (up to a maximum of \$1.65/square foot).

Fee is		\$183,645.00
Park Development Fees + (159 @ \$501.11)	=	<u>\$79,676.49</u>
<b>TOTAL PARK FEES</b>	=	<b>\$263,321.49</b>

- 70. 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 at 266-4816.

**PLEASE CONTACT JOHN LIPPITT, MADISON FIRE DEPARTMENT, AT 266-4484 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING FIVE ITEMS:**

- 71. The fire lanes shown on the site plans do not comply with Comm 62.0509, and/or MGO Chapter 34; the owner must revise the plans or apply for and receive approval of a Petition for Variance from the Board of Building Code, Fire Code and Licensing Appeals prior to construction of the project. If the Board does not approve the Petition for Variance, then the owner must submit a new application for approval of revised plans.
- 72. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows:
  - a. 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, for Washington Row.
  - b. Provide a fire lane that extends to within 150-feet of all exterior portions of the structure.
- 73. Ensure that construction complies with Chapters Comm 61-65 for setbacks, class of construction, protected openings, and sprinkler fire protection, based on proposed proximity and exposure to adjoining structures.
- 74. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least TWO fire hydrants. Distances are measured along the path traveled by the fire truck as the hose lay's off the truck. See MGO 34.20 for additional information.
- 75. The site plans shall clearly identify the location of all fire lanes.

**THE COMMON COUNCIL ADDED THESE CONDITIONS AT THEIR JULY 19, 2005 MEETING:**

76. All encroachments into the public rights-of-way including the above grade balcony encroachments into West Washington Avenue shall be considered by the City's Privilege in Streets Committee and approved by the Common Council through approval of a lease or similar vehicle.
77. Curb cuts into the street terrace along West Washington Avenue shall be limited to driveways only. The terrace shall not be allowed to be used for parking or loading of vehicles. In coordination with City Departments, loading zones may be established at points along the curb in conjunction with building entrances.

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 ten (10) sets of the complete site plans, building elevation and floor plans 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.

When these conditions have been satisfied, bring in the revised plan originals to obtain signatures on the cover sheet from the following reviewing departments: City Engineering, Traffic Engineering, Zoning and Planning. After this is accomplished, submit the final plans and documents for recording to the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard.

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.

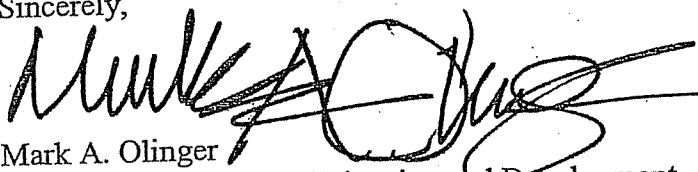
No construction or alteration of the property included in this application shall be permitted until a Specific Implementation Plan (SIP) has been approved and recorded.



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 Sec. 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 Kathy Voeck or Matt Tucker, Zoning Administrator, at 266-4551.**

Sincerely,



Mark A. Olinger  
Director, Department of Planning and Development

Zoning
Traffic Engineering
City Engineering
CDBG – Hickory Hurie
Planning – Bill Roberts
UDC – Al Martin
Fire Department
Parks Department
Water Utility

c: Zoning Administrator  
City Engineering  
Traffic Engineering



Department of Planning & Development  
**Planning Unit**

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

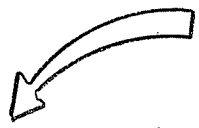
Madison Municipal Building  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2985  
Madison, Wisconsin 53701-2985  
TDD 608 266 4747  
FAX 608 266-8739  
PH 608 266-4635

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](mailto: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

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**From:** Brad Murphy  
**Sent:** Thursday, July 20, 2006 12:48 PM  
**To:** William Roberts  
**Subject:** FW: Capitol West

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**From:** Bock, Natalie [mailto:nlb@alexandercompany.com]  
**Sent:** Wednesday, June 28, 2006 6:08 PM  
**To:** wisstef@yahoo.com; Peter Ostlind  
**Cc:** Alexander, Randall; Gosch, Chris; Brad Murphy; Mike Verveer  
**Subject:** Capitol West

Stefanie and Pete:

At our meeting last night you indicated that the neighborhood was concerned that our pending SIP submittal does not address Conditions, 56, 58, 60, 61, 62, 64 of the approval. Attached is a memorandum from Tom Miller identifying the documentation that was submitted to address these items. If you have additional question, please let me know.

Regards,  
Natalie



# Memorandum

**To:** Natalie Bock  
**From:** Thomas Miller  
**CC:** Brad Murphy, Director of Planning - City of Madison  
Christopher Gosch, The Alexander Company  
Stefanie Moritz, Bassett District Steering Committee  
**Date:** June 28, 2006  
**Re:** Capitol West SIP Submittal

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## Conditions of Approval:

Natalie,

This memo serves to outline the details of several items addressed at the Neighborhood Meeting of June 27<sup>th</sup> – Item numbers refer to the letter from Mark Olinger to The Alexander Company dated 7/20/2005, regarding conditions of approval for Capitol West.

**Item 56:** Per specific discussions with and review by City Zoning staff, three truck loading areas have been provided on site. These three truck loading areas are identified most clearly on sheets C301 and C302 of the Site Work and Utility set; the loading zones are designed to accommodate all components of the development addressing Washington Place (formerly known as Washington Row) including 309 West Washington, 333 West Washington, 306 West Main Street, and the Main Street Townhomes. One loading area is parallel to Washington Place between 309 and 333; and the other two loading areas are located perpendicular to Washington Place to the south of the proposed parking garage. The sheets outlining these improvements have been included in the current SIP submittal.

**Item 58:** A truck routing plan outlining the City's preferred direction of trucks accessing and leaving the site was submitted to Traffic Engineering by Findorff on our behalf; the plan was reviewed and approved by Traffic Engineering prior to obtaining the Street Occupancy Permit. In addition, an Erosion Control and Storm Water Management Permit was obtained in February of this year. The plan attached to this permit outlines site access, tracking pads, and site staging, amongst other things. These features can be seen most clearly on sheet C111 of the Site Work and Utility set. This sheet is included in the current SIP submittal.

**Item 60:** Bicycle stalls for Phase 1 have been provided in areas throughout the project and are identified on Sheet C401 and C402 of the Site Work and Utility set, Sheet A-0.1 of the 309 Building set, Sheets PA2.1 and PA2.2 of the New Parking Ramp set, and Sheets A2A, A3B, and A7B of the Existing Parking Ramp set; all stalls are listed in detail on Sheet C001 of the Site Work and Utility set. These drawings have all been submitted as part of the current SIP review.

**Item 61:** We have not yet determined the most effective specific rain catchment system that would correlate with the Phase 1 SIP. The details are required prior to receiving a building permit which we are not yet requesting. Either the details will be provided prior to applying for the permit, or the SIP will require modification with respect to this issue.

~~Item 62: The detail of the bicycle ramp is shown in Drawing 2 of Sheet C402 and Drawing 2 of Sheet C1002 of the Site Work and Utility set; these sheets are included in the current SIP submittal package.~~

**Item 64:** The specific details and locations of new trees are being designed and drawn by the City as part of the public right-of-way improvement plan set to be included in the Developer's Agreement. We have not seen these documents yet, when we receive them we will forward them to the neighborhood for their information. Our best estimate of the location of new trees is shown on sheet C112 of the Site Work and Utility set, and is included in the current SIP review submittal. With respect to the Tree Protection Plan, trees to be protected are identified with a dashed line on sheet C112 of the Site Work and Utility Plan set and the protection is detailed in Drawing 2 on this same sheet. In addition, the General Contractor for each component will meet on site with City Forestry to determine if any additional measures are required for each component prior to the commencement of construction. For example, with respect to the demolition work, Findorff met on site with the City Forester to determine how tree protection should be implemented for that phase. Actual tree protection installed by Findorff during the demolition phase has exceeded requirements of the City Forester and that shown in the plan.

Please let me know if you have any additional questions,

TM

16. 02454 Creating Section 28.06(2)(a)3157 of the Madison General Ordinances rezoning property from C2 General Commercial District and M1 Limited Manufacturing District to PUD (GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Demolish 19 Buildings For Future Residential & Commercial Development; 6th Aldermanic District: 2313-2525 East Washington Avenue & 2306-2422 Winnebago Street, 2317-2415 Winnebago Street and 11 South Fifth Street.  
*1 Registrant(s) in support wishing to speak.*
- A motion was made by Ald. Olson, seconded by Ald. Compton, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No: ORD-06-00004**
- ✓ 17. 02455 Creating Section 28.06(2)(a)3155. of the Madison General Ordinances rezoning property from Unrecorded PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) and creating Section 28.06(2)(a)3156. of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: 33 Condominium Units; 4th Aldermanic District: 33 South Broom Street.
- A motion was made by Council President Van Rooy, seconded by Ald. Compton, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No: ORD-06-00005**
18. 02488 Amending Section 28.12(9)(d)2. and creating Section 28.12(9)(d)20. of the Madison General Ordinances to allow variances for reduction of usable open space.
- A motion was made by Council President Van Rooy, seconded by Ald. Compton, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No: ORD-06-00006**

**END OF PUBLIC HEARINGS**

**At this time, the balance of the agenda which has not been acted upon will be moved with the recommended action listed for each items EXCEPT #'s: 19, 21, 25, 30, & 36 on motion of President Van Rooy, seconded by Ald. Verveer.**

**1) items which have registrants wishing to speak. 2) items which require an extraordinary (roll call) vote. 3) items which alderperson(s) have separated out for discussion/debate purposes.**

**JANUARY 17, 2006  
COMMON COUNCIL  
MINUTES**

*recommended approval of the general development plan subject to the comments and conditions contained in the Plan Commission materials and the following conditions:*

- That the specific implementation plan explore the Milwaukee Street frontage to create a more urban feel.
- That a pedestrian connection from the development be provided to Farwell Street east of Buildings G.1-G.3.
- That this project be presented by the applicant to the Pedestrian, Bicycle, Motor Vehicle Commission for review prior to the submittal of the first specific implementation plan.
- That the single-family residences on the site be moved where possible.

**A motion was made by Ald. Golden, seconded by Forster Rothbart, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by acclamation.**

*Speaking in support of the project were: Lance and Todd McGrath, McGrath & Associates, 103 N. Hamilton Street, the applicants; John Lichtenheld, Schreiber Anderson Associates, 717 John Nolen Drive and Paul Cuta, Engberg Anderson, 1 N. Pinckney Street, both representing the applicants; Dan Melton, 2138 LaFollette Avenue, representing the Schenk-Atwood-Starkweather-Yahara Neighborhood Association; Marsha Rummel, 1339 Rutledge Street #2, and; Ald. Judy Olson, 518 Clemons Avenue, representing the 6th District.*

*Speaking in opposition were Joe Lusson, 480 N. Baldwin Street, representing the Madison Trust for Historic Preservation; Michael Carlson, 226 Oak Street, and; Andrea Den Otter, 2714 LaFollette Avenue.*

*Speaking neither in support nor opposition was Karen FASTER, 133 Ohio Avenue.*

*Registered in support but not wishing to speak were Allen Arntsen, 2817 Milwaukee Street; Brendan McGrath, 614 W. Doty Street #206, and; Renae J. Field Accardo, 533 W. Main Street #102.*

*Registered in opposition to the demolition of the French Battery Building was Carolyn Freiwald, 1442 Williamson Street.*

*Registered in opposition to the project were Jason Tish, 2714 LaFollette Avenue; Brett Myers, 230 Oak Street, and; Ellen Carlson, 226 Oak Street.*

✓ 11. 02455

Creating Section 28.06(2)(a)3155. of the Madison General Ordinances rezoning property from Unrecorded PUD(SIP) Planned Unit Development ( Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) and creating Section.28.06( 2)(a)3156. of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: 33 Condominium Units; 4th Aldermanic District: 33 South Broom Street.

*Approval recommended subject to the comments and conditions contained in the Plan Commission materials, the comments of the Urban Design Commission and the following condition:*

- 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.

JANUARY 9, 2006  
P.C. MINUTES 17

**A motion was made by Ald. Golden, seconded by Boll, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by acclamation.**

*Speaking in support of the project were: Thomas Miller, The Alexander Company, 145 E. Badger Road, the applicants; Stephanie Moritz, 530 W. Doty Street, representing the Capitol West Steering Committee, Bassett District of Capitol Neighborhoods, Inc., and; Ald. Mike Vermeer, 614 W. Doty Street #407, representing the 4th District.*

*Registered in support and available to answer questions were: Natalie Bock, The Alexander Company, 145 E. Badger Road and Ed Freed & Nathan Novak, JJR, 625 Williamson Street, representing the applicants.*

*Registered in support but not wishing to speak were: Jonathon Cooper, 208 S. Henry Street, representing the Bassett District of Capitol Neighborhoods, Inc.; Ledell Zellers, 510 N. Carroll Street, representing Capitol Neighborhoods, Inc., and; Rosemary Lee, 111 W. Wilson Street #108.*

### **Conditional Uses/ Demolition Permits**

12.     02584     Consideration of a conditional use for two apartment buildings located at 6326 Maywick Drive. 16th Ald. Dist.
- The Commission found that the standards were met and granted approval subject to the comments and conditions contained in the Plan Commission materials, the comments of the Urban Design Commission and the following condition:*
- That the applicant work with staff on adding landscaping between the north building and Cottage Grove Road and permeability at south end of site.*
- A motion was made by Ald. Golden, seconded by Ald. Cnare, to Approve. The motion passed by acclamation.**
- Speaking in support of the project were Peter Weston, 1003 Madison Avenue, Fort Atkinson representing the applicant, Jeff Wickline and Ald. Judy Compton, 6030 Fairfax Lane, representing the 16th District.*
13.     02585     Consideration of a demolition permit/conditional use to demolish an existing house and construct a new house on this lakeshore lot located at 5116 Spring Court. 19th Ald. Dist.
- The Plan Commission referred this matter to allow the applicant an opportunity to consider a narrower garage. In referring the matter, the Commission show the width of the garage on the plans and provide photos of the house to be demolished. Fey urged Commission members to conduct a site visit to Spring Court independently.*
- A motion was made by Ald. Konkell, seconded by Davis, to Rerefer to the PLAN COMMISSION. The motion passed by acclamation.**
- Speaking in support of the project was George Solner, Zingg Design, 3102 Elm Lane, Middleton representing the applicants Jason & Lori Smith; Richard Glad, 5128 Spring Court and David Anderson, 5132 Spring Court.*
- Speaking in opposition were Jeanhine Sievert, 5101 Spring Court and Alice Erickson, 5109 Spring Court.*
- Registered in support but not wishing to speak was Candi Anderson, 5132 Spring Court*

### **Subdivisions**

✓ 5. 00992

Creating Section 28.08(2)(a)3095 of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District and PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.08(2)(a)3096 of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Mixed Use, Predominantly Residential Development of Approximately 400 Dwelling Units, including Retail, Commercial, Office Space & Parking . The Proposal also includes the Demolition of Buildings on this Site, Retaining the Parking Ramp-328 West Main Street and the Former Clinic/Office Building Located at 345 West Washington Avenue; 4th Aldermanic District: 309-333 West Washington Avenue & 308 West Main Street.

*Public Hearing Closed. 7 Registrant(s) in support not wishing to speak; 1 Registrant(s) in opposition not wishing to speak; 11 Registrant(s) in support wishing to speak; 1 Registrant(s) in opposition wishing to speak.*

A motion was made by Ald. Verveer, seconded by Ald. Olson, to Adopt with Amended Condition(s) Amend condition # 3 in the Plan Commission report to read: All encroachments into the public rights-of-way including the above-grade balcony encroachments into West Washington Ave. shall be considered by the City's Privilege in Streets Committee and approved by the Common Council through approval of a lease or similar vehicle. Add condition # 22 which reads: Curb cuts into the street terrace along W. Washington Ave. shall be limited to driveways only. The terrace shall not be allowed to be used for parking or loading of vehicles. In coordination with City Departments, loading zones may be established at points along the curb in conjunction with building entrances. The motion passed by acclamation.

Enactment No: ORD-05-00130

JULY 19, 2005  
COMMON COUNCIL  
MINUTES

A motion was made by Forster Rothbart, seconded by Ald. Golden, to Approve. The motion passed by acclamation.

Speaking in support of the removal of the sidewalk was Rob Christlieb, Gorman & Company, 1244 S Park Street and Stuart Morse, 1716 Dewberry Drive, representing the Southern Hill Condominium Association. Registered in support of the request and available to answer questions was Dennis Epley, 1814 Masters Lane. Registered in support of the request were: Sandy Epley, 1814 Masters Lane; John Schleisman, 1808 Masters Lane; David & Jeannine Muschinski, 1805 Dewberry Drive; Janet Morse, 1716 Dewberry Drive, and; Dolores Bonine Barstad, 1824 Masters Lane.

**ROUTINE BUSINESS**

- 2. 01381 Accepting a 12-foot wide Public Storm Sewer Easement from The Urban Open Space Foundation across property located at 201 South Ingersoll Street. 6th Ald. District.

A motion was made by Ald. Golden, seconded by Ald. Konkel, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by acclamation.

**PUBLIC HEARING-6:00 p.m.**

**JUNE 20, 2005  
P.C MINUTES**

**Special Item**

- 3. 01363 Adoption of the Wingra Creek Market Study and Redevelopment Plan as a supplement of the South Madison Neighborhood Plan.

The Plan Commission recessed this item pending review by other reviewing bodies.

A motion was made by Ald. Golden, seconded by Ald. Konkel, to Defer. The motion passed by acclamation.

**Zoning Map Amendments**

- ✓ 4. 00992 Creating Section 28.06(2)(a)3095 of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District and PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3096 of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Mixed Use, Predominantly Residential Development of Approximately 400 Dwelling Units, including Retail, Commercial, Office Space & Parking. The Proposal also includes the Demolition of Buildings on this Site, Retaining the Parking Ramp-328 West Main Street and the Former Clinic/ Office Building Located at 345 West Washington Avenue; 4th Aldermanic District: 309-333 West Washington Avenue & 306 West Main Street.

Approval recommended subject to the comments and conditions contained in the Plan Commission materials, with the following revisions and amendments:

1. The SIP shall not be signed-off and recorded until the SIP for the Broom Street Lofts are approved by the Common Council, as stated as condition #2 of the Planning Unit report.
2. That condition #3 of the Planning Unit report be revised to state: "The condominium area shall include a fitness center and concierge desk and be provided as part of the first phase building, unless waived by the Plan Commission. Condominium Common Areas including a community room shall be provided for in Phase II SIP and shall be made available to the homeowners in Phase I."
3. That condition #4 of the Planning Unit report be revised to state: "That there be no above grade building encroachments into the W Washington Avenue right of way except for grade-level entryway access to the buildings as allowed under the minor alteration process." (The applicant shall note that all encroachments must obtain a separate approval by the Common Council through approval of a lease or similar vehicle.)
4. That condition #5 of the Planning Unit report be revised to state: "That the pedestrian walkway bridge as shown on the approved GDP over Washington Row and parking area shall be a condition of approval for any SIP addressing construction at 333 W Washington Avenue."
5. That, on a motion by Ald. Konkell and seconded by Lanier, a 12-15 foot setback be provided for the lofts along S Broom Street, replacing condition #6 of the Planning Unit report and condition #1 of the Traffic Engineer's report. (The motion passed unanimously)
6. That all street lighting on each of the block faces, which have not yet been replaced, shall be modified as part of this project to incorporate Bassett Neighborhood Pedestrian Streetlight Standards and W Washington Avenue light standards, as stated as condition #8 of the Planning Unit report and condition #15 of the Traffic Engineer's report.
7. That condition #3 of the Traffic Engineer's report be revised to state: "That no residential parking permits will be issued to market rate units in this phase of development. The applicant shall inform all owners and/or tenants of this facility of this requirement in their condominium documentation, apartment leases and zoning text. However, all designated inclusionary dwelling units shall be eligible for residential parking permits according to the inclusionary zoning ordinance. The applicant shall provide addresses and apartment numbers for designated inclusionary dwelling units, eligible for residential parking permits to the City Traffic Engineer/ Parking Manager. The applicant shall note in the zoning text the inclusionary zoning dwelling units."
8. That condition #14 of the Traffic Engineer's report be revised to state: "That the applicant execute a modified waiver of notice and hearing on special assessments for future traffic signals, street lights and associated street improvements. The traffic signal waiver may also require a deposit for future area traffic signals and associated intersection changes."
9. That any modification to the pedestrian [walkway] extending from S Henry Street through the Capitol Court Mews and between 345 W Washington Avenue and the existing parking garage to S Broom Street that would restrict public access shall be considered as a major alteration to the PUD-SIP. Such modifications shall require approval by the Plan Commission at a public hearing. The City's Risk Manager is asked for comment on the public liability that might result from this provision.
10. That all trash and recycling containers be located within enclosures.
11. That as part of the Phase I construction the drive access from W Main Street to the new parking garage shall be designed, to the extent possible, to be wide enough to allow for parking large delivery vehicles and tractor trailer-type moving vans without blocking the sidewalk or the street. As part of a future phase that constructs the building at 306 W Main Street, provisions shall be made to accommodate this same delivery parking area within the building structure. The overall delivery service capacity will be reviewed and approved by Traffic Engineering.



12. That air conditioning condensers for the W Main Street townhomes be located inside the parking structure adjacent to the townhomes where feasible.
13. A construction staging and parking plan shall be submitted and approved by the Traffic Engineer that minimizes cut-through traffic by construction vehicles on the residential streets of the Bassett Neighborhood west of Broom Street (Specifically W Main Street, W Doty Street and W Wilson Street) for the duration of Phase I.
14. That the Madison Environmental Group reuse and recycling plan shall be part of this approval.
15. That the applicant provide a detailed diagram showing location and quantity of bicycle parking for residents within parking and/or storage spaces. The total quantity of bicycle parking spaces for residents shall be equal to the number of bedrooms in the dwelling units to be constructed.
16. That details of the rain catchment system for all components of Phase I be provided prior to issuance of building permits for this phase.
17. That a bicycle ramp be provided as part of the grand stairs from Washington Row to the Capitol Mews.
18. That all rooftop mechanicals be screened in a method acceptable to the urban Design Commission.
19. That the landscaping plans be modified to include provision of additional trees in the street terrace, and that the plans be revised to include a plan for protection of existing trees within the street terrace. [Planting in the right of way shall be subject to the prior approval of the City Forester.]
20. That installation of pedestrian scale street lighting that has been installed elsewhere in the [Bassett] neighborhood be included as part of each phase of construction as it is completed.
21. That Inclusionary Zoning waiver option A2 be adopted subject to approval of the Broom Street lofts.

- All other Planning Unit and Traffic Engineering comments are recommended as stated in the attached review memos.

An earlier motion by Thimmesch and seconded by Forster Rothbart to require a 15-17 foot setback along S Broom Street failed (AYE: Thimmesch; NAY: Ald. Konkell, Ald. Golden, Forster Rothbart, Lanier).

A motion was made by Ald. Golden, seconded by Thimmesch, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by the following vote:

Excused: 5 - Cnare, Fey, Ohm, Davis, Boll and Ethington

Aye: 4 - Konkell, Golden, Forster Rothbart and Lanier

No: 1 - Thimmesch

Non Voting: 1 - Bowser

Speaking in support of the project were: Ed Freer, no address given, representing The Alexander Company; Sonya Newenhouse, 25 N Pinckney Street, representing The Alexander Company; Natalie Bock & Thomas Miller, The Alexander Company; 145 E Badger Road; Bill White, 2708 Lakeland Avenue, representing the Alexander Company; Gene Devitt, no address given, and Ald. Mike Verveer, 614 W Doty Street, representing the 4th District. Speaking in support of the project with the Bassett neighborhood's conditions of approval were: Peter Ostlind, 533 W Main Street, Chair of the Bassett District of Capitol Neighborhoods; Jonathon Cooper, 208 S Henry Street; Stefanie Moritz, 530 W Doty Street #104; Jim Skrentny, 305 1/2 W Johnson Street, Chair of the Capitol Centre District of Capitol Neighborhoods; Victor Villacrez, 544 W Main Street;

*Leila Brown, 360 W Washington Avenue, and; Tom Brown, no address given. Registered in support and available to answer questions was Nathan Novak, 625 Williamson Street, representing The Alexander Company. Registered in support but not wishing to speak were: Jonathon Beck, The Alexander Company, 145 E Badger Road; Michael Quigley, 1301 Morrison Avenue; Carol Ferguson, 360 W Washington Avenue # 603; Laura Exner, 351 W Wilson Street, Unit 8; William Patterson, 1014 Williamson Street #2, and; Karin Sandnik, 360 W Washington Avenue. Speaking in opposition was Rosemary Lee, 111 W Wilson Street #108.*

5. 01224

Creating Section 28.06(2)(a)3101 of the Madison General Ordinances rezoning property from Temp A Agriculture to C3 Highway Commercial District. Proposed Use: Veterinarian Clinic & Pet Boarding; 1st Aldermanic District: 6510 Watts Road

*Approval recommended subject to the comments and conditions contained in the Plan Commission materials.*

**A motion was made by Ald. Konkel, seconded by Lanier, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by acclamation.**

*Registered to speak in support of the project was Terry Kennedy, 6501 Watts Road. Registered in support and available to answer questions were Renee Brantner, 1253 Dayflower Drive; Patrick McGowan, 202 W Gorham Street; Bill Montelbano, 8 E Hudson Street, Mazomanie, and; Ken Lambrecht, 5712 Raymond Road.*

6. 01225

Creating Section 28.06(2)(a)3102 of the Madison General Ordinances rezoning property from C2 General Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3103 of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Demolish Existing Building & Build 16-Story, 71-Unit Apartment Building with 2,900 Square Feet Retail Space; 8th Aldermanic District: 202 North Charter Street

*In recommending rejection, Plan Commission members cited the findings and conclusions in the Planning Unit report and the need for additional planning in this area as a basis for their recommendation.*

**A motion was made by Lanier, seconded by Forster Rothbart, to RECOMMEND TO COUNCIL TO DENY - PUBLIC HEARING. The motion passed by acclamation.**

*Speaking in support of the project were: Bryce Armstrong & Craig Hungerford, Trio Development, 448 W Washington Avenue, the applicants; Rick Gilbertsen & Eric Lawson, Potter Lawson, Inc., 15 Ellis Potter Court, representing the applicant, and Ald. Austin King, 627 Mendota Court #3, representing the 8th District. Registered in support and available to answer questions were Jill Hochhausen, 17 Creekside Way and Mark Bastian, Potter Lawson, Inc., representing the applicant. Speaking in opposition to the project were: Betty Thompson, 4202 Kenwood Street; Christine Olson, 929 High Street #8, and; Rick McKy, 6902 Old Sauk Road. Registered in opposition but not wishing to speak was Al Keup, 4202 Kenwood Street.*

7. 01228

Creating Section 28.06(2)(a)3105 of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: 2-Story,

PLANNING UNIT REPORT  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
October 25, 2004

**ZONING MAP AMENDMENT, I.D. 36837:**

Located at 309-333 West Washington Avenue/306 West Main Street (Block 51, Madison WI with the exception of 354 West Main Street).

1. Requested Action: Approval to rezone property from PUD(SIP) to amended PUD(GDP-SIP) for a mixed-use, predominately residential development – to be known as “Capitol West”. This proposal includes the demolition of some of the existing structures on this site, and the maintenance of the existing SIP to reflect the current uses on the block which will remain in place until they are replaced by new SIPs.
2. Applicable Regulations: Section 28.07 provides the framework and guidelines for Planned Unit Development districts. Section 28.01 provides the process for zoning amendments. Section 28.04 outlines the requirements for issuance of demolition permits.
3. Report Drafted By: Bill Roberts, Planner IV.

**GENERAL INFORMATION:**

1. Applicant: Capitol West, LLC – The Alexander Company, Inc., 145 East Badger Road, Suite 200, Madison Wisconsin 53713.
2. Status of Applicant: Contract to purchase.
3. Development Schedule: Begin 2005.
4. Parcel Location: Southeast side of West Washington Avenue, between South Broom Street and South Henry Street, northwest side of West Main Street. Madison Metropolitan School District. 4<sup>th</sup> Aldermanic District.
5. Parcel Size: About 4.5 acres.
6. Existing Zoning: PUD(SIP).
7. Existing Land Use: Former Meriter Hospital/Physicians Plus/UW Health Clinic complex, including hospital site, clinic, office uses, parking ramp, associated driveways and parking areas.
8. Proposed Use: Mixed-use development consisting of condominiums, retail-office space, parking, open space, courtyards, etc., as detailed in the attached General Development Plan letter of intent, dated September 8, 2004.

9. Surrounding Land Use and Zoning (see map): The site is surrounded by a mix of predominately residential uses, office uses and commercial uses along West Washington Avenue, West Main Street, South Henry Street, and South Broom Street. The "Meriter-Retirement Center" complex is located to the southeast in the next block.
10. Adopted Land Use Plan: The adopted overall Land Use Plan for the City of Madison shows this area as SIP Special-Institutional) district. The adopted Bassett Neighborhood Master Plan, January 1997, indicated that among the redevelopment recommendations for this block:  
  
*"Block 51 Redevelopment: Redevelopment of the former Methodist Hospital and Jackson Clinic for mixed-use that may include office, residential and retail uses. Possible enclosed walkways to connect uses with the former Jackson Clinic parking ramp. Possible skywalk to connect Block 51 with the Capitol Square and the Meriter Senior Health Care and Retirement Center on Block 50."*
11. Environmental Corridor Status: This property is not located within a mapped environmental corridor.

#### **PUBLIC UTILITIES AND SERVICES:**

The full range of urban services is available to the site.

#### **STANDARDS FOR REVIEW:**

This project is subject to the Planned Unit Development district standards and the demolition permit standards.

#### **EVALUATION AND ANALYSIS:**

This is an application for a Planned Unit Development-General Development Plan to demolish the former Meriter Hospital Medical Center and replace it with a mixed-use development consisting of residential, commercial office, neighborhood retail uses and parking.

The General Development Plan outlines the complete project to create 400 owner-occupied units (60 being affordable to families making 80% of the area median income), 18,000 square feet of retail space and up to 105,000 square feet of office space and parking.

#### **Existing Site Characteristics:**

This block contains the former Methodist Hospital/Meriter Hospital – Jackson Clinic/UW Health/Physicians Plus medical facility. The site has been developed over the last century for the use of Methodist Hospital and Jackson Clinic that included a replacement for the Jackson Clinic building and a parking ramp on West Main Street in this block. This parcel slopes down from the northeast to the southwest toward Broom Street. [The main Methodist Hospital building, while being older, is not of historic value.]

### **Proposed Development:**

The application is for Plan Commission and Common Council approval of an amended PUD(GDP-SIP). The medical facility on the site was zoned PUD(GDP-SIP) in the 1970s-1980s. This current PUD proposal is classified for zoning purposes as an amended PUD(GDP-SIP). The SIP portion of this rezoning is to recognize the continuance of existing uses on the property until future SIPs are approved and new construction replaces these uses. Once the amended PUD(GDP) for this block is approved by the Common Council, Specific Implementation Plans (SIP) for each element will be submitted for City approvals. The approval of the amended PUD(GDP) also includes approval to demolish the existing structures on the site.

At the time of the September application, the proposal consisted of the following elements:

- Approximately 400 units owner-occupied flats, lofts, condominium/town homes (60 units being affordable to families making 80% of the area median income).
- Approximately 1,800 square feet of retail space.
- Up to 105,000 square feet of office space and parking.

In addition to the three proposed residential and mixed-use buildings at 309 West Washington, 333 West Washington and 306 West Main Street, the project will include three townhouse components, as shown on the attached site plan.

This proposal also includes the acquisition and potential expansion of the former clinic-office building located at 345 West Washington Avenue and approximately 500 parking spaces in the existing parking structure on Main Street. The attached letter of intent and plan map outlines the potential locations of neighborhood retail uses, pedestrian access and common areas throughout the proposed development. Additional detailed information will be required at the time of each Specific Implementation Plan stage.

### **Project Phasing:**

#### Phase I:

- 309 West Washington Avenue building demolition. New ten-story retail/residential.
- "Courtyard town homes" roughly in the location of the old hospital building.
- "Courtyard town homes" roughly in the location of the old "Jackson Clinic" building.
- Common areas.
- Below-grade under buildings parking structure.
- Broom Street town homes along the northeast side of Broom Street.
- Main Street condominiums along the southeast face of the existing parking ramp, along West Main Street.
- Site improvements and landscaping.

- Retention of the existing parking ramp.

#### Phase II:

- Eleven-story retail and residential structure located on the corner of South Henry Street and 306 West Main Street.
- Additional site improvements and landscaping.

#### Phase III:

- 333 West Washington Avenue: new 14-story residential building, roughly in the location of an existing residential (former nursing student dormitory) apartment building.
- Potential expansion of the commercial office building, located at 345 West Washington Avenue, formerly Physicians Plus/UW Health Clinic, on the corner of West Washington Avenue and Broom Street.
- Additional site improvements and landscaping.

The breakdown of the project elements is contained in the attached letter of intent for each phase and is incorporated at the end of this staff report. The specific plan components for each phase as well as the landscape plan, site plan and architectural design will be refined with the Specific Implementation Plan submittals.

#### **Off-Street Parking Facilities:**

The proposal maintains the existing parking ramp along West Main Street. The letter of intent states that there are approximately 692 parking stalls on the site that will remain, and that up to an additional approximately 534 parking stalls will be provided by the subsurface parking structures. The letter of intent also identifies the possibility providing an additional 400 stalls for neighborhood uses. It is our understanding that, because of financial considerations, this "neighborhood parking" is no longer being seriously considered. Additional detail regarding the parking options will be provided by the applicant at the Plan Commission meeting.

#### **Demolition of Buildings:**

The plan includes the demolition of the existing multi-story hospital building, the adjacent former nurse's residential apartment building and the original "Jackson Clinic" building on this site. All of these buildings are in good condition. The buildings are not historic. A recycling and reuse plan will be required.

#### **Consistency of Adopted Plans:**

The reuse of this block for the elements noted is consistent with the recommendations contained in the Bassett Neighborhood Master Plan of 1997. Earlier land use plans and neighborhood plans anticipated the continued use of this block as a medical facility. Most of the medical, office, clinic and hospital occupancies of these buildings have long since moved to Meriter's main complex on

South Park Street, or to other locations. While the Bassett Neighborhood Plan does not provide detailed design recommendations for the site, the mix of proposed uses is in keeping with the plan.

**PLANNED UNIT DEVELOPMENT STANDARDS:**

The Zoning Code Section 28.07(6) includes the following provisions regarding Planned Unit Developments:

1. Statement of Purpose. The Planned Unit Development District is established to provide a voluntary regulatory framework designed to encourage and promote improved environmental and aesthetic design in the City of Madison by allowing for greater freedom, imagination and flexibility in the development of land while insuring substantial compliance to the basic intent of the zoning code and the general plan for community development. To this intent, it allows diversification and variation in the bulk and relationship of uses, structures and spaces in developments conceived as comprehensive and cohesive unified plans and projects. It is further intended to encourage developments consistent with coordinated area site planning.
  
2. Criteria for Approval. As a basis for determining the acceptability of a Planned Unit Development District application, the following criteria shall be applied with specific consideration as to whether or not it is consistent with the spirit and intent of this ordinance and has the potential for producing significant community benefits in terms of environmental and aesthetic design. For Planned Unit Development Districts with Residential Components in Downtown Design Zones, the Design Criteria adopted by the Common Council shall be used as guidelines for determining whether the following criteria are met.
  - A. Character and Intensity of Land Use. In a Planned Unit Development District, the uses and their intensity, appearance and arrangement shall be of a visual and operational character which:
    - a) Are compatible with the physical nature of the site or area.
    - b) Would produce an attractive environment of sustained aesthetic desirability, economic stability and functional practicality.
    - c) Would not adversely affect the anticipated provision for school or other municipal service unless jointly resolved.
    - d) Would not create a traffic or parking demand incompatible with the existing or proposed facilities to serve it unless jointly resolved. A traffic demand management plan and participation in a transportation management association may provide a basis for addressing traffic and parking demand concerns.
  
  - B. Economic Impact. Planned Unit Development District shall not adversely affect the economic prosperity of the City or the area of the City where the Planned Unit Development is proposed including the cost of providing municipal services.

- C. Preservation and Maintenance of Open Space. In a Planned Unit Development District, adequate provision for the improvement and continuing preservation and maintenance of attractive open space shall be made.
- D. Implementation Schedule. A Planned Unit Development District Shall include suitable assurances that each phase could be completed in a manner which would not result in an adverse effect upon the community as a result of termination at that point.
3. In addition to compatibility to the recommendations of the adopted plan, the standards for review of a Planned Unit Development proposal require considerations of this criteria to ensure that the project is consistent with the spirit and intent of the ordinance and the potential for producing significant community benefits in terms of environmental aesthetic design.

#### Character and Intensity of Land Use:

The preliminary design of buildings and the site plan provide a level of detail expected for a Planned Unit Development-General Development Plan. The plans propose a project that can be physically compatible with the nature of this downtown urban site. Buildings of this size and intensity of use are common in the downtown. It is critical however, for a project of this magnitude to provide sufficient information on the scale and massing of structures and their arrangement on the site to provide the basis to develop future SIPs that are in keeping with this zoning framework.

At a PUD-GDP stage of any development proposal it is common to not have a significant amount of detail available on building design and aesthetics. The preliminary general design of the proposed buildings show a mix of structures with larger and smaller building footprints ranging in height from two to fourteen stories. Staff feels that the preliminary design will produce an attractive, aesthetically desirable environment.

The applicant has reviewed the proposed project against the PUD standards. In their application they have indicated that the proposed PUD has been designed specifically with the existing neighborhood in mind. The less dense townhouse development will be located along Broom Street and along West Main Street to provide a transition between the more intense / higher density development along West Washington Avenue and South Henry Street, and the core of the Bassett neighborhood. The developer has indicated that they have gone to great lengths to design an aesthetically pleasing urban environment with a mix of uses. The design incorporates a mix of uses, a mix of residential densities, and adequate open space for an urban environment. The staff agree with the applicant's assessment of the project and its ability to comply with the PUD criteria regarding the character and intensity of land use.

Among the potentially significant challenges of any project of this size relates to traffic, ingress and egress, and parking. The existing building complex, at full use as a regional hospital and clinic, resulted in significant traffic and parking demands. The reuse of this land for this new development proposal will also have significant demands. The applicant has indicated that they will be preparing a transportation demand management plan as part of the development of specific implementation plans. The application also refers to a traffic impact analysis which presumably would be prepared as part of the specific implementation plans. The City Traffic Engineers are evaluating this application



and will provide their comments and conditions of approval regarding traffic and parking management.

**Economic Impact:**

Planning Unit staff does not anticipate this proposal having an adverse affect on the economic prosperity of the City or create problems in the costs of providing municipal services to this development. The applicant is requesting TIF assistance for this project.

**Inclusionary Dwelling Unit Plan:**

The applicant has provided preliminary information regarding the Inclusionary Dwelling Unit Plan that is attached for Plan Commission and Common Council consideration. The Inclusionary Dwelling Unit Plan submitted as part of this application in mid-September states that up to 60-units will be affordable housing inclusionary dwelling units, 30 one-bedroom units, 24 two-bedroom units, 6 three-bedroom units with general price between \$109,000 to \$151,000. The locations and floor plans for these units will be part of each future Specific Implementation Plan applications. Community Development Block Grant office comments are attached. Planning Unit staff have reviewed the plan and feel it is adequate for a GDP level review subject to several conditions.

For all elements of the project that are less than four stories in height, the applicant will need to provide inclusionary units at two income levels rather than all units at 80% of AMI.

The applicant has requested several incentives. These incentives are listed in Part V. of the Inclusionary Dwelling Unit Plan Application. The applicant has requested an off-street parking reduction of up to 25%. Staff has no problem with this request, but should note that there is no specific parking requirement within the downtown and therefore, there is really no ordinance basis for the granting of such a reduction. Planning staff, however, support the level of parking proposed. The applicant also requests a cash subsidy. In pre-application discussions, staff noted to the applicant that funding was not currently available through the special revenue fund. The applicant has requested RP3 residential parking permits. Staff recommend that residential parking permits be available for the affordable units (IZ units). The applicant has noted that the density of the development and parking will be defined through the PUD process. While a density bonus is technically not available because the existing planned unit development zoning does not allow any residential dwelling units, the staff have no problem with the density being requested. Finally, the applicant has requested tax incremental financing assistance and is currently negotiating a possible agreement with the City's TIF Team.

**Broom Street Building Setback**

The plan shows a three story row of townhouses along South Broom Street in an open, landscaped building setback area adjacent to the office building (former clinic) at 345 West Washington Avenue and the existing parking ramp. The setback along Broom Street in this block was established between the City of Madison and Methodist Hospital as part of their master planning efforts and overall first PUD-GDP for their holdings in 1974. The setback on this block was established with their first PUD-GDP, and has been continued through each PUD-SIP development approved on other blocks with frontage on Broom Street for the last 30 years.

This setback was established because of the potential future widening of the Broom Street corridor from John Nolen Drive, across the Isthmus, to the Gorham/Johnson Street corridors. In the 1960s and 1970s there was a desire to have two-way traffic into and out of Madison's downtown via John Nolen Drive. Broom Street was identified as a primary corridor to link to downtown because of its direct connection to John Nolen Drive. The idea was to have two lanes of traffic in each direction. From a way-finding perspective, directing visitors into the downtown via Broom Street is less confusing than taking the route that most of us familiar with the downtown would take.

The nearby Meriter Retirement Community buildings in the adjacent block were also setback at the City's request. The setback along Broom Street was also provided when the "Capitol Centre" development was built several years ago along Broom Street at Mifflin, Dayton and Johnson Streets. The Capitol Centre PUD-SIP review stated that the 30-foot building setback area was for pedestrian use and to "provide the interface with the surrounding residential neighborhood and pedestrian scale streets". More recent development proposals such as Metropolitan Place-Phase II also respected this setback. The recently approved condominium development located at the corner of Broom Street and West Wilson Street provides a somewhat smaller setback.

The first Bassett Neighborhood Plan approved by the Common Council in 1976 suggested that Broom Street traffic be reversed or be two-way. The Bassett Neighborhood Master Plan – 1997 had among its transportation recommendations the recommendation to evaluate the potential to convert Broom Street for two-way traffic flow and to consider eliminating the 30-foot setback.

The Plan Commission and Common Council are now being asked to approve a zoning map amendment which would eliminate the 30-foot setback/reservation. Because of the presence of the reservation on other blocks, and the long-standing practice of preserving this setback or requiring it wherever possible, the elimination of the setback should not be taken lightly as it has future transportation implications for the downtown and City, and will set a precedent for future projects in the corridor. Broom Street is nine blocks long. Seven of the nine blocks have a right-of-way of about 66-feet in width. The two blocks between Doty Street and John Nolen Drive vary in width from approximately 72-feet to 82-feet in width. The 30-foot setback or right-of-way reservation could result in a potential total right-of-way width of approximately 96-feet through most of the corridor. Typically, an 80-foot right-of-way could accommodate four lanes of traffic or two lanes of traffic plus lanes for additional modes. Adjacent to the subject property, the right-of-way is currently 66-feet. The existing setback between the right-of-way line and the Jackson Clinic office building is approximately 45-50 feet. While the development plans show the townhouse units set up to the existing right-of-way line, these units could be set well back from the right-of-way line and maintain a significant portion of the existing setback.

City Transportation staff are also reviewing this issue and will be providing comments as well. The Plan Commission and Common Council will need to decide if reserving the setback within this block is still warranted, or if reserving some portion of it is warranted. It is our understanding that the developer has met with representatives of the Bassett Neighborhood and Capitol Centre Neighborhood on a couple of occasions. The neighborhood meeting of October 20, 2004 focused specifically on the future of the 30-foot Broom Street setback.

### Open Space:

The proposed site plan features a significant amount of open space. The site plan incorporates a central capitol mew between South Henry Street and Washington Row as well as roof gardens, terraces, plazas, other walkways, and seating areas.

The applicant proposes to utilize the 30-foot setback along Broom Street for a series of three-story townhouses. The townhouses would replace a series of Austrian pines planted on a berm within the 30-foot setback. Staff also are not opposed to the elimination of the Austrian pines within the setback area. The pines did an extremely effective job providing screening of the office building from Broom Street and the neighborhood to the west. However, the use of berms and conifer screening is typical of a suburban landscaping solution intended to allow an acceptable transition between a large-scale office building and finer grained small-scale residential uses west of Broom Street. This solution is typically utilized when it is difficult to design the building to actually integrate the building with the neighborhood. The transition proposed by the developer which would provide smaller scale three-story townhouses between residential buildings west of Broom Street and the office building to the east of the townhouses. Given the significant amount of open space proposed elsewhere on this block, staff believe that the townhouses can provide an acceptable transition either as proposed or with an acceptable setback from Broom Street.

### CONCLUSION:

The Planning Unit's evaluation of this Planned Unit Development-General Development Plan application concludes that this is an excellent proposal to replace the former medical center. The project will offer a balanced mix of dwelling and building types, as well as retail/office opportunities. The preliminary information with the General Development Plan regarding building mass and placement shows a project that will relate well to the larger buildings in this portion of the downtown, but also transitions well into the residential neighborhood to the southwest. The retention of the Broom Street building setback or the construction of the Broom Street townhouses will soften the impact of intense, higher density use of development in this block on the residential neighborhood located to the southwest.

The Urban Design Commission has given the General Development Plan positive reviews (see attached report). The Planning Unit considers the primary residential development, along with the mixed-uses, to be an appropriate use on this property. The buildings are compatible with the surrounding neighborhood. This project is consistent with the City's goals to increase residential densities and home ownership throughout the central area. Staff feels the ordinance standards can be met.

### RECOMMENDATION:

Subject to any the input at the public hearing and the comments from the reviewing departments, the Planning Unit recommends that the Plan Commission forward this zoning map amendment for an amended PUD-GDP-SIP (SIP to maintain existing uses until redeveloped) to the Common Council with a favorable recommendation subject to the following:

1. A recycling/reuse plan shall be submitted to and approved by the City's Recycling Coordinator prior to any demolition permits occurring on this site.

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2. The Planned Unit Development-Specific Implementation Plans shall be reviewed, approved and recorded prior to the issuance of any demolition permits for this site.
  3. Final detailed Inclusionary Dwelling Unit Plans (IDUP) shall be submitted along with each PUD-SIP proposal. The applicant's requests for incentives related to residential parking permits for the inclusionary units are granted. The level of tax incremental financing support for this project has yet to be determined and will require separate approvals by the Common Council. The IDUP shall be revised to provide inclusionary units at two income levels for all elements of the project that are less than four stories.
  4. If not already submitted, a final transportation demand management plan and traffic impact analysis shall be prepared and submitted with the SIP proposals.
  5. The buildings shall not encroach into the Capital View Height Preservation Limits.
  6. The proposed Broom Street townhouse element within the existing building setback along Broom Street shall be permitted only if supported by the Plan Commission and Common Council.

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PLANNING UNIT REPORT  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
May 31, 2005

**ZONING MAP AMENDMENT, L.D. 00992, LOCATED AT 309-333 WEST WASHINGTON AVENUE AND 306 WEST MAIN STREET (BLOCK 51) (WITH THE EXCEPTION OF 354 WEST MAIN STREET)**

1. Requested Action: Approval to rezone property from PUD(GDP)(SIP) to Amended PUD(GDP)(SIP) for a mixed-use, predominantly residential development, to be known as "Capitol West". This proposal includes the demolition of some of the existing structures on the site.
2. Applicable Regulations: Section 28.07 provides the framework and guidelines for Planned Unit Development Districts. Section 28.01 provides the process for zoning amendments. Section 28.04 outlines the requirements for issuance of demolition permits.
3. Report Drafted By: Bill Roberts, Planner IV; and Bradley J. Murphy, Planning Unit Director.

**GENERAL INFORMATION:**

1. Applicant: Capitol West, LLC, The Alexander Company, Inc., 145 East Badger Road, Suite 200, Madison, WI 53713.
2. Status of Applicant: Contract to purchase.
3. Development Schedule: Begin 2005.
4. Parcel Location: Southeast side of West Washington Avenue between South Broom Street and South Henry Street, northwest side of West Main Street, Madison Metropolitan School District, Aldermanic District 4.
5. Parcel Size: About 4.5 acres.
6. Existing Zoning: Recently approved PUD(GDP)(SIP).
7. Existing Land Use: Former Meriter Hospital/Physicians Plus/UW Health Clinic complex including hospital site, clinic, office uses, parking ramp, associated driveways and parking areas, etc.
8. Proposed Use: Mixed-Use Development consisting of condominiums, retail/office space, parking, open space, courtyards, etc., as detailed in the attached materials.
9. Surrounding Land Use and Zoning (See map): This site is surrounded by a mix of residential uses, offices uses, and commercial uses along West Washington Avenue, West Main Street, South Henry Street and South Broom Street. The "Meriter Retirement Center" complex is located to the southeast in the next block.

10. Adopted Land Use Plan: The adopted overall Land Use Plan for the City of Madison shows this area as SI Special Institutional District. The adopted Bassett Neighborhood Master Plan, January 1997, indicated that among the redevelopment recommendations for this block:

*“Block 51 Redevelopment; Redevelopment of the former Methodist Hospital and Jackson Clinic for mixed-use that may include office, residential, and retail uses. Possible enclosed walkways to connect uses with the former Jackson Clinic parking ramp. Possible walkway to connect Block 51 with the Capital Square and the Meriter Senior Health Center and Retirement Center on Block 50.”*

11. Environmental Corridor Status: This property is not located within a mapped environmental corridor.

### **PUBLIC UTILITIES AND SERVICES:**

The full range of urban services are available to the site.

### **STANDARDS FOR REVIEW:**

This project is subject to the Planned Unit Development District Standards.

### **ANALYSIS AND EVALUATION:**

On December 14, 2004, the Common Council conditionally approved a Zoning Map Amendment for this property from PUD(SIP) to Amended PUD(GDP)(SIP). On March 23, 2005, the applicant submitted an application for the next stage in this development proposal. The application before the Plan Commission at this time is for Phase I, now known as “Capitol West”. The Phase I proposal consists of the following elements as shown on the attached drawings.

- Demolish three buildings located at 309, 329 West Washington Avenue and 30 South Henry Street. (The demolition permits were previously approved in December, 2004.)
- New 10 and 7-story retail/residential buildings at 309 West Washington Avenue.
- “Courtyard Town Homes South.”
- “Washington Row Houses.”
- Below grade parking structure.
- Main Street condominiums, adjacent to the southeast side of the existing parking ramp.
- Retention of the existing parking ramp on the site.
- Retention of the former UW Health/Jackson Clinic building/commercial office building on the southwest corner of the block.

At the time the application was submitted in March 2005, the first development phase included 159 dwelling units (including 22 units on the Broom Street site), up to 171 additional parking stalls, 18,000 square feet of new retail space as further outlined below from the applicant’s letter of intent:

**Phase I Site Development Statistics:**

**General**

Lot Area: 4.46 Acres  
 Dwelling Units: up to 159 units (137 without the Broom Street Lofts)  
 Overall Density: up to 90 DU/Acre (see each component for specific density statistics)  
 Building Heights: 3-10 stories

**Use**

Existing Commercial  
 Existing Parking to remain  
 New Retail  
 New Parking  
 New Residential

**Gross Area**

82,520 Square Feet (expandable to +/- 105,000)  
 +/- 692 stalls  
 18,000 Square Feet  
 up to 171 stalls (149 interior/22 surface)  
 513,300 Square Feet

<u>Dwelling Unit Mix</u>	<u>No. of Market Units</u>	<u>No. of Affordable</u>	<u>Total Units</u>
One Bedrooms	65	7	72
Two Bedrooms	68	5	73
<u>Three Bedrooms</u>	<u>12</u>	<u>2</u>	<u>14</u>
Total	145	14	159*

\*Includes Broom Street Lofts (22 units)

**Phase I Project Component Outline**

**309 West Washington Avenue**

(Retail/Residential)

Ten Story Building: 146,773 GSF  
 Seven Story Building: 31,476 GSF  
 Up to 112 Condominium Units\*  
 152,100 GSF (Residential)  
 12,600 GSF (Retail)  
 18,900 GSF (Storage)  
 183,600 GSF (Total)  
 Site Area: +/- 1.75 ac  
 Density: +/- 70 DU/ac

**309 West Washington Avenue Unit Mix**

One Bedroom	56 MKT	6 IZ
Two Bedroom	32 MKT	4 IZ
<u>Three Bedroom</u>	<u>12 MKT</u>	<u>2 IZ</u>
Total	100 Units + 12 IZ Units = 112	

\*Assumes execution of the 7<sup>th</sup> floor alternate on the Henry Street Addition

**Capitol Court Townhomes:**

**South Townhomes**

Gross Square Feet 8,746  
 Dimensions 17.5' x 35' per unit  
 Stories 3  
 Units 5  
 Site Area: +/- 0.25 ac  
 Density: +/- 20 DU/ac

<u>South Townhomes</u>	<u>Unit Mix</u>	<u>IZ</u>
<u>Two Bedroom</u>	<u>5 MKT</u>	<u>0 IZ</u>
Total	5 Units	0 IZ

<u>North Townhomes</u>	
Gross Square Feet	8,746
Dimensions	17.5' x 35' per unit
Stories	3
Units	5
Site Area:	+/- 0.25 ac
Density:	+/- 20 DU/ac

<u>North Townhomes</u>	<u>Unit Mix</u>	<u>IZ</u>
Two Bedroom	5 MKT	0 IZ
Total	5 Units	0 IZ

<u>Washington Rowhouses</u>	
GRSF	9,205
Dimensions	20' x 26' per unit
Stories	4
Units	5
Site Area:	+/- .1 ac
Density:	+/- 50 DU/ac

<u>Washington Rowhouses</u>	<u>Unit Mix</u>	<u>IZ</u>
Two Bedroom	5 MKT	0 IZ
Total	5 Units	0 IZ

### Additional Townhomes:

<u>Main Street Townhomes</u>	
GRSF	16,200
Stories	3-4
Units	10
Site Area:	+/- 0.15 ac
Density:	+/- 75 DU/ac

<u>Main Street</u>	<u>Unit Mix</u>	<u>IZ</u>
Two Bedroom	10 MKT	0 IZ
Total	10 Units	0 IZ

### Not part of the current SIP, but part of the GDP

<u>Broom Street Lofts</u>	
GRSF	30,400
Stories	4 + mezzanine
Units	22
Site Area	+/- 0.32 ac
Density	+/- 75 DU/ac

<u>Broom Street</u>	<u>Unit Mix</u>	<u>IZ</u>
One Bedroom	9 MKT	1 IZ
Two Bedroom	11 MKT	1 IZ
Total	20 units	2 units = 22

The application includes a proposed amendment to the approved PUD(GDP)(SIP) to include the Broom Street Lofts as a future development with a setback of 12-feet. However, that component is not part of the Phase I SIP before the Plan Commission at this time. A separate SIP for that element will be provided at some point in the near future. The proposed Broom Street Lofts element (shown as 123 West Broom Street in attached drawings) within the existing building setback line along Broom Street was left as an unresolved issue at the time of the approval of the overall Planned Unit Development. A copy of the December 15, 2004, Common Council approval letter for this project is attached.

The Plan Commission will consider this matter at the start of the June 6, 2005, meeting.

### Off-Street Parking Facilities:

This application indicates the total amount of parking includes the existing parking on the site, parking below the building at 345 West Washington Avenue and the existing parking ramp plus additional parking for the new retail and the new residential components. The breakdown of proposed parking is as follows:



**Parking Facilities**

Existing parking residential  
Existing parking Meriter  
Existing parking 345 West Washington Avenue  
New subsurface parking  
New parking Washington Row  
**Total**

**Number of Stalls**

330 stalls  
170 stalls  
192 stalls  
135 to 147 stalls  
22 stalls  
849-861 stalls

The proposed parking will result in 3.5 stalls for 1,000 gross square feet of retail space and 1.3 stalls per market rate dwelling units and 1 stall per inclusionary zoning dwelling units.

**Demolition of Buildings:**

The previous Plan Commission and Common Council action approval of the PUD(SIP) included the demolition of the former Meriter Hospital building at 309 West Washington Avenue, the Meriter "Annex II" building at 30 South Henry Street, and the Meriter "Annex I" building at 329 West Washington Avenue. The applicant has submitted a preliminary recycling and reuse plan that is attached for Plan Commission information.

**Consistency with Adopted Plans:**

As noted earlier, the redevelopment proposal for this block is consistent with the general recommendations contained in the Bassett Neighborhood Master Plan of 1997. Information was provided to the Plan Commission and the Common Council as part of the Amended PUD(GDP)(SIP) application.

**Modifications to Approved General Development Plan (GDP)**

The attached letter from the applicant dated May 17, 2005, outlines the primary modifications in the application for the Phase I SIP and Amended GDP since the approval of the original GDP last fall.

The modifications include:

- 333 West Washington has been reduced in height to 13 stories.
- The 6-story buildings along Henry Street have been increased to 7 stories.
- The number of residences at the Main Street Townhomes has been reduced to 10 from 11 to allow for additional landscaping between every other unit.

The applicant's letter also states that in addition there have been several modifications from the GDP included as part of the Phase I SIP from the "standard refinement of the plans through the rezoning process." The modifications are as follows:

- "The Washington Row buildings have been re-programmed to five live-work units from the previously identified common area facilities. Details on these units have been included in the Capitol Court component of the application as the Washington Rowhouses."

- “The total number of units in 309 West Washington Avenue has been modified to 112 from the 120 units estimated in the GDP. This does not modify the total number of units identified in the GDP – it merely redistributes these units to Phase 2.”
- “The common area facilities identified along Washington Row in the GDP have been redistributed throughout the project. The Fitness Center will be provided in Phase I in the lower level of 309 West Washington between the retail and the storage. A Concierge Area and associated facilities will be provided at the first floor lobby of 309 West Washington in Phase I, and a common Meeting Hall will be provided in 306 West Main in Phase 2 of the project. In addition, common exterior spaces such as portions of the Mews, the Grand Stair and Washington Row will be provided in Phase 1 as well.”
- “A trash enclosure and a van loading stall at Washington Row for Main Street Townhome use has been included. This revises the number of parking stalls at Washington Row to 20 stalls.”
- “A request for waivers for 10 of the 24 required IZ units has been submitted as part of this application. We are currently negotiating with IZ and TIF staff the actual number of IZ units and their distribution throughout the project.”

The applicant notes that the GDP plan graphic included with the SIP application did not show the bridge overhead at Washington Row, but this bridge is still a component of the development and will be included in the Phase 3 SIP to be constructed simultaneously with the 333 West Washington Building.

#### **Planned Unit Development Standards:**

In addition to compatibility with the recommendations of adopted plans, the review of Planned Unit Development proposals requires consideration of other specific criteria to ensure that the project is consistent with the spirit and intent of the ordinance and has the potential for producing significant community benefit in terms of environmental and aesthetic design.

#### **Character and Intensity of Use:**

The Plan Commission, Urban Design Commission and Common Council, in their approval of the Amended PUD(GDP)(SIP) in December 2004, determined that the PUD criteria had been satisfactorily addressed. The SIP includes additional information regarding the design and appearance of the new buildings in Phase I. The Plan Commission directed as part of the PUD-GDP-SIP approval that the maximum height for the buildings at 333 West Washington Avenue shall be reduced from 14 to 13 stories subject to final Urban Design Commission approval. The Plan Commission further directed that in order to compensate for the reduced height of 333 West Washington Avenue buildings along South Henry Street may be increased to 7 stories again subject to final Urban Design Commission approval. The Urban Design Commission, at their meeting of May 4, 2005, recommended approval of this proposal (see attached report). The proposed new buildings for the 333 West Washington Avenue site will be part of a future SIP.

#### **Economic Effects:**

Planning Unit staff believes this proposal will have a positive effect on the economic prosperity of the City, especially the downtown. Staff does not anticipate any problems in the provision of municipal services to this development.

## Inclusionary Dwelling Unit Plan:

The applicant has been providing information regarding the inclusionary dwelling unit plan to the Community Development Block Grant Office in an on-going fashion for their review and comment as planning for this proposal has gone forward. Some of this material was just provided a week or so prior to the Plan Commission meeting. The Inclusionary Dwelling Unit Plan submitted as part of this application and these additional materials are attached for Plan Commission and Common Council consideration. The floor plans for the new buildings show the location of the inclusionary dwellings. The applicant's original proposal for this phase is that inclusionary dwelling units will be distributed within the 309 West Washington building and the Broom Street lofts but not in the townhouse units, Capital Court, Washington Row Houses, and Main Street Townhomes where waivers have been requested. The Inclusionary Zoning Dwelling Unit Plan submitted with the application includes 159 units that include 22 units in the Broom Street element. The current land use application however, requests that the Broom Street element only be included at this time as a proposed GDP element. The SIP for the Broom Street loft units is expected to be submitted in the near future.

This Phase I application is for 159 dwelling units which results in a requirement of 24 affordable units under the inclusionary zoning ordinance provisions. The applicant believes that the inclusionary zoning units make this project economically infeasible and therefore, is requesting a waiver of some inclusionary zoning units in exchange for making payment to the affordable housing trust fund. The original application requested a waiver for 10 IZ units and proposed a payment be made for the following inclusionary dwelling units:

- 4 dwelling units in the multi-level townhomes at Courtyard Townhomes at Main Street.
- 4 units at 309 West Washington Avenue.
- 2 units in the proposed Broom Street Lofts (not part of this SIP).

The general pricing of the IZ units will be between \$109,100 - \$151,000.

Following the submittal of the original application, discussions have continued with CDBG, Planning and TIF staff. On May 19 the applicant submitted a revised Inclusionary Dwelling Unit Plan that included two additional waiver options. The Community Development Block Grant Office is evaluating this request and their report on the inclusionary dwelling unit plan will be provided to the Plan Commission and Common Council.

This application requests incentives. These incentives are listed in Part 5 of the attached original Inclusionary Dwelling Unit Plan application. The applicant has requested an off-street parking reduction of up to 25%. The applicant has also requested a cash subsidy from the Inclusionary Unit Reserve Fund up to \$10,000 per unit for up to 50% of the affordable units provided. As there is no money in the fund, this incentive cannot be provided. While the applicant is not requesting a density bonus, the number of units being allowed on this property and the ultimate density which has been approved as part of the General Development Plan, is resulting in a significant increase in the number of dwelling units allowed on this property, over and above that which was allowed under the previous zoning. Since the previous zoning did not allow any residential development, there was no base established in the existing zoning from which to calculate a density bonus. So, while technically, no density bonus is available, the project which is being reviewed allows significant densities of up to 90 units per acre.

While the applicant did not submit detailed plans for SIP level approval for the Broom Street lofts, the applicant did include the dwelling units associated with the Broom Street lofts in the inclusionary

~~dwelling unit plan submittal and in the information provided to the Community Development Block Grant Office associated with the waiver request. The applicant has also included the Broom Street loft units in the discussions regarding the level of Tax Incremental Financing for this project. The applicant has indicated that a Specific Implementation Plan application for these units will be submitted in the near future. Because the inclusionary zoning waiver request and the TIF request is directly linked to these units, the Planning Unit will recommend that the Specific Implementation Plan for other Phase I projects not be signed-off and allowed to be recorded until the Broom Street loft units have been approved by the Common Council.~~

### **Broom Street Building Setback:**

There was considerable discussion between staff, the applicant, the Plan Commission, and neighborhood representatives about the ultimate setback requirements along the Broom Street right-of-way. This matter was not resolved as part of the initial PUD(GDP) review and approval of December 2004.

City Traffic Engineering staff made a presentation to the Plan Commission at their May 2, 2005, meeting. The applicant has submitted a site plan which shows a building footprint for the Broom Street lofts which is setback 12-feet from the existing right-of-way. Staff have previously suggested that a reasonable compromise between the existing 30-foot setback and the original Alexander proposal of a zero setback would seem to be possible. Traffic Engineering staff have presented cross sections for Broom Street based on varying rights-of-way between the existing 66-foot right-of-way (zero setback) and a 96-foot future right-of-way (30-foot setback). The Planning Unit has previously reviewed the setback issue in its report on the General Development Plan (attached). In that report, the Planning Unit indicated that there are no current plans to use any portion of this setback for street purposes. There is also no current projected need to use the entire 30-foot for right-of-way. It also should be remembered that none of this setback is public property, nor is it included in a transportation plan which indicates that it is needed for transportation purposes. However, the maintenance of some reasonable setback to accommodate a potential long-term future transportation need may be justified. The Planning Unit believes that some middle ground would provide the community with ample flexibility to meet its future transportation needs and at the same time, allow the current development proposal to move forward.

As the Planning Unit pointed out in its previous report, an 80-foot right-of-way (14-foot setback) is very typical of many major collector and minor arterial streets. Eighty-feet also is very comparable to the middle set of street cross-sections provided by the Traffic Engineer, which showed an 81-foot right-of-way. Following the May 2, 2005 presentation to the Plan Commission, there was a neighborhood meeting on May 16. The Alexander Company has submitted a cross-section for a 28 or 29-foot ultimate right-of-way that would require a 12 or 13-foot setback (this cross-section is part of the packet).

The first Bassett Neighborhood Plan approved by the Common Council in 1976 suggested that Broom Street traffic be reversed or be two-way. The Bassett Neighborhood Master Plan approved in 1997 had among its transportation recommendations the recommendation to evaluate the potential to convert Broom Street for two-way traffic flow and also to consider eliminating the 30-foot setback. There appears to be very little interest, at the present time, to expand the Broom Street right-of-way to add additional lanes of traffic. There also does not appear to be a current or projected need. It appears that the primary interest, at the present time, in preserving some or all of the setback relates more to preserving opportunities to enhance the streetscape, provide landscaping, and provide adequate space for alternative modes of transportation. The Planning Unit believes that these objectives and future transportation needs can be accomplished in a right-of-way approximating around 80-feet.

The setback on Broom Street and the number of units the applicant can achieve along the Broom Street frontage is directly related to the inclusionary zoning waiver request and the applicant's request for Tax Incremental Financing assistance. The applicant has asked that the setback on Broom Street be set at 12-feet as part of this application. The Planning Unit supports the reduction of the setback and is comfortable with a setback in the range of about 13-15-feet which would provide flexibility for the City in the future if additional right-of-way is ever needed to approach a total right-of-way width of approximately 80-feet. A 13-foot setback would allow for a future right-of-way of 79-feet, while a 15-foot setback would allow for a future right-of-way of 81-feet. Additional narrative on the history of this setback and its original purpose are included in the October 25, 2004 Planning Unit report on the previously approved PUD-GDP-SIP for this project.

Because the Specific Implementation Plan for the Broom Street lofts has not been submitted, it is very difficult to determine whether the 13-foot setback proposed by the applicant is the minimum amount which can be provided while still maintaining the 22-units being proposed along Broom Street. Although, based on recent floor plans submitted for review, staff believe that there may not be a lot of additional flexibility to move the building. When the SIP is submitted additional detail will be available.

The Plan Commission will have a special item of business at the start of the June 6, 2005 meeting to further discuss the Broom Street setback question.

### **Open Space:**

The overall design for this block features an adequate amount of open space. The site plan incorporates a central Capital Mews between South Henry Street and Washington Row as well as roof gardens, terraces, plazas, walkways, and seating.

### **CONCLUSION:**

The Planning Unit's evaluation of this Planned Unit Amended Planned Unit Development- General Development Plan-Specific Implementation Plan concludes that this is an excellent proposal to replace the former medical center. As noted in the December 2004 staff report, staff feels this project will offer a good mix of dwellings and building types as well as retail office opportunities. The SIP has supplied substantial detail on the building's design and appearance. The Urban Design Commission has approved these elements as part of their review and approval of this proposal. The project is consistent with the City's goals to increase residential densities and homeownership throughout the central area. Planning Unit staff feels that the ordinance standards can be met.

The Planning Unit supports the applicant's proposal for the first phase of the redevelopment of this block. While there are several issues which must be resolved, the Planning Unit believes that it may be sufficient to address these issues as conditions of approval to the project. These conditions relate to the future approval of the Broom Street loft units, approval of the TIF agreement by the Common Council, approval of an appropriate level of inclusionary dwelling units in the development based on the alternatives proposed and the recommendation from the Community Development Block Grant Office.

While there has been discussion about the desire to resolve the Broom Street setback issue for the entire Broom Street corridor, there has been no formal process started to accomplish this. The Planning Unit is concerned about holding up this development proposal for an indefinite period of time pending any protracted discussion of the setback. This issue was first identified as part of the review of the

application for the General Development Plan and Specific Implementation Plan in the fall of 2004. The Planning Unit believes that the Plan Commission has the information which it now needs to make a recommendation on the setback as part of this application. However, the Plan Commission could choose to require the applicant to submit the application for the SIP for the Broom Street loft units and establish the setback at the time the SIP is approved for the Broom Street lofts. There has also been some discussion about the introduction of a Common Council Resolution to address the Broom Street setback issue for the entire corridor. If it is decided that a resolution should be introduced, the resolution could be reviewed concurrent with the review and approval of the SIP for the Broom Street loft units, and may not result in any significant delays in the redevelopment of this block. Because the number and configuration (size) of the Broom Street loft units are tied directly to the level of TIF assistance requested and the IZ waiver request, the approval of the Broom Street loft units is necessary prior to construction commencing.

### **RECOMMENDATIONS:**

Subject to the input at the public hearing and the comments from the reviewing departments as well as the comments from the Urban Design Commission on the building design, appearance, and exterior materials, the Planning Unit recommends that the Plan Commission forward this Amended PUD(GDP)(SIP) to the Common Council with a favorable recommendation subject to the following:

1. All the provisions in the attached December 15, 2004, Common Council approval letter.
2. The SIP shall not be signed-off and recorded until the SIP for the Broom Street lofts are approved by the Common Council.
3. The condominium common area, as shown on the adopted GDP shall be provided as part of the first phase building, unless waived by the Plan Commission.
4. Staff recommends that there be no above grade building encroachments into the West Washington Avenue right-of-way.
5. A specific timeline shall be provided and approved by the Plan Commission for the construction of the pedestrian walkway bridge as shown on the approved GDP over the Washington Row drive and parking area.
6. The Plan Commission will need to recommend the establishment of a setback on Broom Street either as part of this action or as part of a future action. Planning Unit staff supports the placement of the 123 West Broom Street lofts no closer than about 13-15-feet from the northeast right-of-way line of Broom Street. No first floor building elements will be allowed to encroach into the setback.
7. The TIF agreement shall be approved by the Common Council.
8. All street lighting on each of the block faces which have not yet been replaced, shall be modified as part of this project to incorporate the Bassett Neighborhood Pedestrian Streetlight Standards, and the West Washington Streetlight Standard for streetlighting along West Washington.

PLANNING UNIT REPORT  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
December 29, 2005

**ZONING MAP AMENDMENT, I.D. 02455 TO REZONE 33 SOUTH BROOM STREET  
FROM UNRECORDED PUD-SIP TO AMENDED PUD-GDP-SIP:**

1. Requested Action: Approval to rezone property from Unrecorded PUD-SIP to Amended PUD-GDP-SIP for the construction of a 23-unit condominium building as a component of the "Capitol West" development.
2. Applicable Regulations: Section 28.07 provides the framework and guidelines for Planned Unit Development Districts. Section 28.01 provides the process for zoning map amendments.
3. Report Drafted By: Bill Roberts, Planner IV.

**GENERAL INFORMATION:**

1. Applicant: Capitol West, LLC – The Alexander Company, Inc., 145 East Badger Road, Suite 200, Madison, WI 53713.
2. Status of Applicant: Contract purchaser.
3. Development Schedule: Begin 2006.
4. Parcel Location: Southeast side of West Washington Avenue along the northeast side of South Broom Street, Madison Metropolitan School District, 4<sup>th</sup> Aldermanic District.
5. Parcel Size: Approximately .32 acre.
6. Existing Zoning: Unrecorded PUD-SIP.
7. Existing Land Use: Vacant land adjacent to the former Physicians Plus UW Health Clinic.
8. Proposed Use: Condominium development.
9. Surrounding Land Use and Zoning (See map): This site is surrounded by a mix of predominantly residential uses, office uses and commercial uses along West Washington Avenue, West Main Street, South Henry Street and Broom Street.
10. Adopted Land Use Plan: The adopted overall Land Use Plan for the City of Madison shows this entire block as SI Special Institutional District. The adopted Bassett Neighborhood Master Plan, January 1997 indicated among the redevelopment recommendations for this block:

*Block 51 redevelopment: Redevelopment of the former Methodist Hospital and Jackson Clinic for mixed-use that may include office, residential and retail uses. Possible enclosed walkways to connect uses with the former Jackson Clinic parking ramp. Possible skywalk to connect Block 51 with the Capital Square and Meriter Senior Health Care and Retirement Center on Block 50.*

11. Environmental Corridor Status: This property is not located within a mapped environmental corridor.

#### **PUBLIC UTILITIES AND SERVICES:**

The full range of urban services are available to the site.

#### **STANDARDS FOR REVIEW:**

This project is subject to the Planned Unit Development District standards.

#### **ANALYSIS AND EVALUATION:**

This application is for the next component of the Phase 1 development of the "Capitol West" project on the site of the former Meriter Hospital Medical Center-Block 51. The Common Council, at their July 19, 2005 meeting approved the underlying PUD-GDP-SIP for this entire block. As part of that approval, the Common Council granted conceptual approval for this component of the development to be known as the "Broom Street Lofts." This approval provided that the applicant to return to the Urban Design Commission, Plan Commission, and Common Council for review and final approval once specific plans were prepared for the condominium building on this portion of the block.

#### **Existing Site Characteristics**

The specific location for this development is along the northeast side of Broom Street at West Washington Avenue adjacent to the former clinic, now office building. This portion of Block 51 is presently a landscaped buffer area adjacent to the former clinic. The approximate size of this building site is about 1/3 acre.

#### **Proposed Development**

The application before the Plan Commission and Common Council at this time is to approve an amendment to the PUD-GDP-SIP that provides additional final design detail for the development of the proposed condominiums at this location. This proposed building is actually the final component of the Phase 1 portion of the overall Capitol West development. The proposal submitted for City staff review is for a 23-unit, 4-story condominium building. The size of the proposed units will range from 475 square feet up to 1,230 square feet, with a mix of one and two-bedroom units. There will be ten 1-bedroom market-rate units, eleven 2-bedroom market-rate units, one 2-bedroom inclusionary zoning unit, and one 1-bedroom inclusionary zoning unit. A total of 30 off-street parking spaces to serve the condominium units will be designated in the existing Main Street parking ramp.



The development of 23 condominium units on this 1/3 acre site results in an overall residential density of about 70 dwelling units per acre. As noted above, this component of Block 51 was approved as part of the overall PUD-GDP-SIP for the Capitol West project. The understanding was that once detailed plans were prepared for this component of Phase 1 that a formal amendment to the PUD-GDP-SIP would be required and require full City review.

### **Off-Street Parking Facilities**

As noted above, it is the developer's intent to provide 30 off-street parking stalls for this development in the adjacent existing former clinic and hospital parking ramp. Access to this parking ramp will continue to be from West Main Street.

### **Demolition of Buildings**

There are no proposed demolition of structures required for this condominium building. The demolition of nearby buildings on this block have already been approved.

### **Consistency With Adopted Plans**

The reuse of this entire block for the elements noted is generally consistent with the recommendations in the Bassett Neighborhood Master Plan of 1997. Earlier land use plans and neighborhood plans anticipated the continued use of this block as a medical facility. All of that changed upon the merger of Methodist Hospital, Jackson Clinic, Madison General Hospital, Physicians Plus and UW Health Clinic. The Bassett Neighborhood Plan did not provide detailed design recommendations for this site.

### **Planned Unit Development Standards**

Section 28.07(6) of the Zoning Code includes the following provisions regarding Planned Unit Developments:

The Zoning Code Sec. 28.07(6) includes the following provisions regarding Planned Unit Developments:

- (a) **Statement of Purpose.** The Planned Unit Development District is established to provide a voluntary regulatory framework designed to encourage and promote improved environmental and aesthetic design in the City of Madison by allowing for greater freedom, imagination and flexibility in the development of land while insuring substantial compliance to the basic intent of the zoning code and the general plan for community development. To this intent, it allows diversification and variation in the bulk and relationship of uses, structures and spaces in developments conceived as comprehensive and cohesive unified plans and projects. It is further intended to encourage developments consistent with coordinated area site planning.
- (f) **Criteria for Approval.** As a basis for determining the acceptability of a Planned Unit Development District application, the following criteria shall be applied with specific consideration as to whether or not it is consistent with the spirit and intent of this ordinance and has the potential for producing significant community benefits in terms of environmental and aesthetic design. For Planned Unit Development Districts with Residential Components in Downtown Design Zones, the Design Criteria adopted by the Common Council shall be used as guidelines for determining whether the following criteria are met.

1. **Character and Intensity of Land Use.** In a Planned Unit Development District, the uses and their intensity, appearance and arrangement shall be of a visual and operational character which:
  - a. Are compatible with the physical nature of the site or area.
  - b. Would produce an attractive environment of sustained aesthetic desirability, economic stability and functional practicality compatible with the general development plan.
  - c. Would not adversely affect the anticipated provision for school or other municipal service unless jointly resolved.
  - d. Would not create a traffic or parking demand incompatible with the existing or proposed facilities to serve it unless jointly resolved. A traffic demand management plan and participation in a transportation management association may provide a basis for addressing traffic and parking demand concerns.
2. **Economic Impact.** Planned Unit Development District shall not adversely affect the economic prosperity of the City or the area of the City where the Planned Unit Development is proposed including the cost of providing municipal services.
3. **Preservation and Maintenance of Open Space.** In a Planned Unit Development District, adequate provision for the improvement and continuing preservation and maintenance of attractive open space shall be made.
4. **Implementation Schedule.** A Planned Unit Development District shall include suitable assurances that each phase could be completed in a manner which would not result in an adverse effect upon the community as a result of termination at that point.

It is staff's belief that this more detailed PUD-GDP-SIP can comply with the Planned Unit Development standards contained in the ordinance.

### **Inclusionary Dwelling Unit Plan**

The applicant has provided information that two of the units in this development will be designated as IZ dwelling units. The designation of the two units in this 23-unit proposal is consistent with the overall conceptual inclusionary dwelling unit plan provided and approved as part of the overall GDP-SIP (see attached comments from CDBG staff). The inclusionary dwelling unit components of this entire development are linked with the Tax Increment Financing assistance, which is part of a larger agreement negotiated between the developer and the City's TIF team.

### **Broom Street Building Setback**

At the time of the approval of the underlying PUD-GDP-SIP, there was considerable discussion about the potential setback for this new building along the Broom Street. The Urban Design Commission, Plan Commission and Common Council, agreed that a 13-foot Broom Street right-of-way reservation would be established in this block and the adjoining blocks along the northeast side of South Broom Street. Resolution I.D. 02190 was introduced by the City Engineer that provided for a change on the official map which would add this proposed public street reservation of 13-feet. This resolution is expected to be approved by the Common Council at their January 3, 2006 meeting. This resolution follows an approved substitute resolution I.D.

01509 that formally established as official City policy the need to provide a 13-foot setback along the northeast side of Broom Street from Wilson Street through State Street.

The specific building proposal submitted for staff review for this development show a number of balconies that will encroach up to four feet up to the established 13-foot Broom Street setback. The neighborhood, at the suggestion of the District Alderperson, formed a steering committee that has been meeting with the developer throughout the fall of 2005. The most significant issue being discussed has been the proposed encroachment of the balconies into the Broom Street setback. As a result of the meetings between the neighborhood and the applicant, a revised plan was submitted to the Urban Design Commission. It was reported to the Urban Design Commission that there was an agreement between the applicant, the Capitol West Steering Committee, the Bassett District, Capitol Neighborhoods, Inc. relative to the projection of the proposed balconies. The agreement as presented to the Urban Design Commission included the following:

1. The developer agreed to remove the mezzanine (fifth story).
2. The developer agreed that the proposed balconies on the West Washington Avenue elevation would not extend across the existing property line.
3. That two of the five total "balcony stacks" along the Broom Street elevation would not encroach into the 13-foot setback.
4. Three remaining "balcony stacks" along the Broom Street elevation would encroach 4-feet within the 13-foot setback.

There were several other minor points that were approved by the Urban Design Commission. The Urban Design Commission, at their November 16, 2005 meeting granted final approval of the revised building plans with the changes noted above (see attached report).

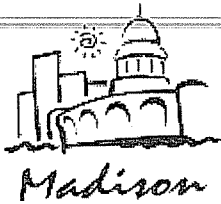
#### **CONCLUSION:**

The Planning Unit's evaluation of this application concludes that it is consistent with the underlying previously approved PUD-GDP and SIP. Staff feels that the agreement reached between the neighborhood and the developer, regarding the building's balconies as approved by the Urban Design Commission, is acceptable to Planning Unit staff. Staff feels that the ordinance standards can be met.

#### **RECOMMENDATIONS:**

Subject to the input at the public hearing, the comments from the reviewing departments and the Urban Design Commission's recommendation, Planning Unit staff recommends that the Plan Commission forward this zoning map amendment to the Common Council with a favorable recommendation, subject to the following:

1. All applicable conditions of approval of the December 14, 2004 Common Council approval are required unless specifically amended by the Plan Commission.
2. 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.



## Madison Metro Transit System

1101 East Washington Avenue  
Madison, Wisconsin, 53703  
Administrative Office: 608 266 4904  
Fax: 608 267 8778



May 3, 2006

TO: Plan Commission  
FROM: Timothy Sobota, Transit Planner, Metro Transit  
SUBJECT: **33 South Broom Street – Bus stop amenity analysis: Revised**

During the meeting of January 9<sup>th</sup>, 2006 – The Madison Plan Commission approved the rezoning of property at 33 South Broom Street. This approval modified the requests submitted by Metro Transit related to the installation of passenger amenities adjacent the project at the existing bus stop location along South Broom Street.

The Plan Commission noted the following modification in its approval of the rezoning:

*Approval recommended subject to the comments and conditions contained in the Plan Commission materials, the comments of the Urban Design Commission and the following condition:  
-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.*

The standard for bus passenger shelters is cited in the language of Metro Transit's Service Evaluation and Performance Measurement Program. This document is formally adopted as an appendix of the Transit Development Plan, published every four years by the Metropolitan Planning Organization. The current plan document spans the years 2004-2008, and cites the following standard for bus passenger shelters on page 5 of Appendix C:

***Shelter Location** - Shelters are a passenger amenity and are placed where they will have the greatest benefit:*

- 1. A minimum of 50 boarding passengers (average weekday);*
- 2. Proximity to housing for elderly and/or disabled persons;*
- 3. At major generators served by multiple routes.*

Metro Transit relates the applicability of this standard of 50 passengers to its review of development proposals strictly on the basis of new ridership estimated to be generated by the proposed land uses. In this sense, current ridership totals at a bus stop are ignored when reviewing development proposals.

Subsequent to the action of the Plan Commission meeting of January 9<sup>th</sup>, 2006, Metro Transit requested that the developer amend their Traffic Impact Study for the Capitol West project, dated March 2005, to include estimated transit trip generation rates for the components of project on a daily basis.

Metro Transit has now received this amended information and finds that the 74 additional daily transit trips estimated to be generated by the project meets the standard established for a bus shelter.

It should be noted that the first phase of the Capitol West project is estimated to generate only 26 of these 74 daily transit trips, with the remaining 48 trips were generated by future phases of the project. Metro Transit believes that this bus shelter amenity should be installed as part of the initial phase of development, similar to other landscape amenities such as trees, lighting, or pedestrian walkways. Installation of the bus shelter in the initial phase of development would encourage the initial occupants of this project to take greater advantage of the available transit service and reduce the number of vehicle trips, in addition to other transit-related measures cited in the Preliminary Transportation Demand Management Plan submitted by the developer in October of 2004:

*Alexander Company, in partnership with the City, intends to upgrade the two bus shelters on West Washington Ave. and enhance the bus stop on South Broom St. Additional signage may be added to further increase the visibility of the bus stops.*

*We recommend the placement of a kiosk or vending cart in a central location that offers bus pass sales, transportation information and maps.*

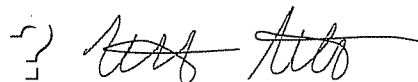
*Bus passes could be provided to Capitol West occupants. These could be either monthly "all you can ride" passes or packets of tickets for a discrete number of trips.*

It should further be noted that the total daily transit trips generated by the project were assumed to divide equally between the bus stop on Broom Street and the current bus shelters on West Washington Avenue, with the conclusion that 37 daily transit trips would be result on either street upon completion of the project. Metro Transit believes that the shelter standard should be analyzed from the perspective of total trips generated, regardless of the number of bus stops adjacent a project site. If the standard for a bus shelter is met – Metro Transit believes it should be able to identify the most appropriate bus stop for this amenity based upon ridership patterns and the routes serving the stops affected by a project. At the corner of Broom and West Washington adjacent this project, current ridership patterns show a split of roughly 75% of passengers using the bus stop location on Broom Street, with the remainder boarding buses that travel along West Washington Avenue. With the concurrent growth of both the Bassett Neighborhood adjacent the Broom Street corridor and the University of Wisconsin – the frequency of routes serving the bus stop on Broom Street and operating west out the University Avenue corridor continues to expand.

Based upon the transit trip analysis conducted in response the Plan Commission's approval, **and subsequent conversation with the developer**, Metro Transit recommends the following actions:

- *The developer shall resubmit site plans for the project at 33 South Broom Street to show the following bus stop amenities:*
  1. *The applicant shall install and maintain a concrete passenger boarding pad on the east side of 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.*
  2. *The applicant shall **show** 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 the concrete passenger boarding pad described above. 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 the curb and sidewalk on the north end, nearest the crosswalk. **Plans shall show exact design specifications of these items.***
  3. ***The applicant shall complete the installation and begin maintenance of the amenities listed in item 2 above prior to submitting the future SIP phase for Metro approval that would create an overall passenger demand of greater than 50 passengers per day.***
- *The developer shall revise their privilege in streets application to the City Real Estate office to permit the installation and maintenance of the above amenities on City right-of-way.*

Please contact Tim Sobota, Metro Transit at 261-4289 or by email at <tsobota@cityofmadison.com> if you have questions regarding the above items.



Digitally signed  
by Tim Sobota  
Date: 2006.05.03  
14:14:15 -06'00'

CC: Project contact person, Thomas Miller: <tcm@alexandercompany.com> (email);  
City Real Estate, Jerry Lund: <jlund@cityofmadison.com> (email);  
City Engineering, Eric Pederson <epederson@cityofmadison.com> (email)

Atchs. Metro Transit review letter re: 309 West Washinton Ave. [15 Oct. 2004]  
Metro Transit review letter re: 33 South Broom St. [15 Dec. 2005]  
Schreiber/Anderson Associates Memo re: Transit Trip analysis [4 Apr. 2006]



## Madison Metro Transit System



1101 East Washington Avenue  
Madison, Wisconsin 53703  
Administrative Office: 608 266 4904  
Fax: 608 267 8778

October 15, 2004

TO: Plan Commission

FROM: Timothy Sobota, Transit Planner, Metro Transit

SUBJECT: **309 West Washington Avenue – Rezoning – Capitol West (Block 51)**

Metro Transit has reviewed the subject development and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. The applicant shall install a concrete passenger boarding pad on the east side of 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.
2. 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 the concrete passenger boarding pad described above. Metro Transit initiated this comment during a pre-submission meeting with the applicant. The landscape plan submitted by the applicant shows a passenger waiting shelter on City right-of-way between the curb and sidewalk. Placement of privately installed and maintained property on public right-of-way would require separate review and approval of additional City agencies, including City Real Estate and City Engineering. Such passenger amenity requests are typically fulfilled with the applicant installing the items on private property behind the sidewalk. It is Metro Transit's recommendation that the applicant further review the potential of placing this shelter and trash receptacle on private property. Wherever ultimately approved and sited, the passenger shelter shall meet minimum Americans with Disability Act requirements for size and access. If installed on City right-of-way between the curb and sidewalk, the trash receptacle and passenger shelter may not obstruct a six-foot zone of concrete pad between the curb and sidewalk on the north end, nearest the crosswalk.
3. 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.

### GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

4. 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. There are two bus stops on the south side of West Washington Avenue, east of Broom Street (#0989) and west of Henry Street (#0235). Both stops on West Washington Avenue have

October 15, 2004

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passenger waiting shelters currently.

5. The proposed cut-out on the south side of West Washington Avenue, west of Henry Street at the ten story building, may conflict with the bus loading zone. The developer may need to coordinate the relocation of the passenger waiting shelter to the east, closer to the corner, to mitigate this conflict. Relocation of the shelter would also require the installation of a new concrete slab and passenger boarding pad area.

Please contact Tim Sobota, Metro Transit at 261-4289  
or by email at <tsobota@cityodmadison.com>  
if you have questions regarding the above items.

CC: Project contact person, Thomas Miller: <tcml@alexandercompany.com> (email)



## Madison Metro Transit System



1101 East Washington Avenue  
Madison, Wisconsin 53703  
Administrative Office: 608 266 4904  
Fax: 608 267 8778

December 15, 2005

TO: Plan Commission  
FROM: Timothy Sobota, Transit Planner, Metro Transit  
SUBJECT: **33 South Broom Street – Rezoning – Broom Street Lofts**

Metro Transit has reviewed the subject development and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. The applicant shall install and maintain a concrete passenger boarding pad on the east side of 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.
2. 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 the concrete passenger boarding pad described above. 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 the 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 requirement.*

3. Such passenger amenity requests are typically fulfilled with the applicant installing the items on 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. **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.**
4. 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.

### GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

5. 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.



December 15, 2005

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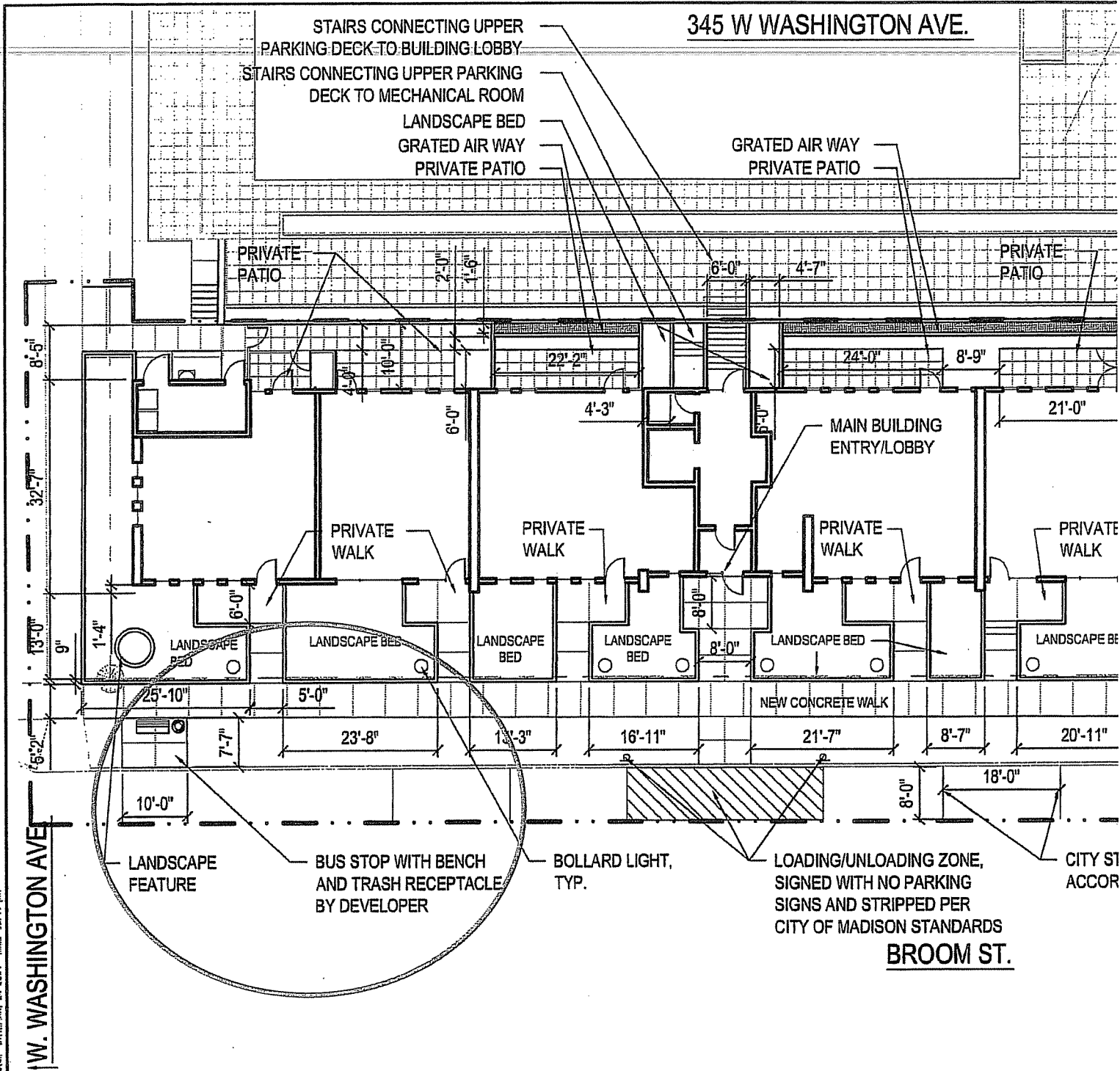
6. The PUD/SIP submitted with this rezoning, and dated October 26 2005, does show the placement of a "new bus shelter" at the bus stop identified above. However, it does point to placing it in the City right-of-way.

Please contact Tim Sobota, Metro Transit at 261-4289  
or by email at <tsobota@cityofmadison.com>  
if you have questions regarding the above items.

CC: Project contact person, Thomas Miller: <tcml@alexandercompany.com> (email)  
City Real Estate, Jerry Lund: <jlund@cityofmadison.com> (email)  
City Engineering, Eric Pederson <epederson@cityofmadison.com> (email)

Atch. Portion of submission page C 102 "Layout Plan" [10/26/2005]

345 W WASHINGTON AVE.



W. WASHINGTON AVE

BROOM ST.

**NOTE:**

1. ALL ENTRANCE WALKS AND PRIVATE PATIOS SHALL BE CONCRETE PAVEMENT.
2. NOTE: ALL PRIVATE PATIO SPACES ALONG THE REAR OF BUILDING WILL BE FENCED AND GATED
3. SEE EXISTING CONDITIONS SHEETS FOR ALL EXISTING FEATURES INCLUDING SIGNAGE, STREET LIGHTING AND UTILITIES.
4. SEE CAPITOL WEST PHASE 1 SIP PACKAGE FOR ADJACENT DEVELOPMENT INFORMATION.

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