



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985
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February 4, 2010

Gary Brink
Gary Brink and Associates, Inc.
8401 Excelsior Drive
Madison, WI 53717

RE: Approval to demolish two existing residential structures and rezone property at 617-619 Mendota Court from R6 to PUD(SIP) to allow for the construction of an eight-story building with 27 residential units.

Dear Mr. Brink:

At its February 2, 2010 meeting, the Common Council **conditionally approved** the rezoning of your client's property at 617-619 Mendota Court from R6 to PUD (SIP), subject to the following conditions of approval from reviewing agencies:

Please contact my office at 266-5974 if you have questions about the following 7 items:

1. Prior to acquiring a demolition permit, the applicant shall provide proof of financing for the implementation of the project as proposed for approval by the Director of the Department of Planning and Community and Economic Development.
2. 617 Mendota Court and 619 Mendota Court shall be combined into one parcel prior to the recording of a PUD-GDP-SIP for the property.
3. Prior to final approval of the PUD-SIP zoning, the applicant shall revise the zoning text to limit the occupancy of each unit to one person per bedroom.
4. The Plan Commission shall retain continuing jurisdiction over the Management Plan, and may review it and require additional actions by the building owner to address problems or deficiencies determined to exist.
5. The applicant shall provide a copy of the tenant lease, which will expressly note a) the lack of automobile parking for residents and visitors both on the site and Mendota Court, b) the limited moped parking available on the site, and c) limitations on occupancy and number of visitors in units.
6. No interior, exterior or structural demolition or wrecking activities or remodeling activities (including material reclamation activities by the applicant or a third party) shall commence nor any wrecking or building permits be issued until the applicant has met all of the conditions of approval stated in this report.
7. The applicant shall provide a copy of a revised Management Plan which includes the intent to educate incoming tenants regarding recycling and to clearly identify disposal areas for trash.

Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions about the following 8 items:

8. Pursuant to MGO Section 28.04 (14), Capitol View Preservation, the applicant shall show the height of the building per City Datum. No portion of any building or structure located within one mile of the center of the State Capitol Building shall exceed the elevation of the base of the columns of the Capitol Building or one hundred eighty-seven and two-tenths (187.2) feet, City datum. Except this prohibition shall not apply to elevator penthouses, and chimneys exceeding such elevation, when approved as a conditional use. For the purpose of this subsection, City datum zero (0.00) feet shall be established as eight hundred forty-five and six-tenths (845.6) feet above sea level as established by the United States Coast and Geodetic Survey.
9. The applicant shall include addresses of the buildings and number of units in each building on the site plans. The setback dimensions shall be from the nearest portion of the building. (A deck that is higher than 3' above

grade, or a covered porch, if closer than the principal building, shall have the dimension to the property line). Address information can be obtained from Lori Zenchenko of City Engineering at (608)266-5952.

10. Provide a reuse/recycling plan, to be reviewed and approved by The City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permit being issued.
11. MGO Sec 28.12(12)(e) requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
12. Bike parking shall comply with MGO Section 28.11. Provide bike parking stalls as shown on plans approved by the Plan Commission 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 and 6 feet of vertical clearance. The double decker bike specifications do not comply with MGO section 28.11.

13. If exterior lighting is provided, it must comply with MGO Section 10.085 outdoor lighting standards. Lighting will be limited to .10 watts per square foot.
14. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31. Signage must be approved by the Urban Design Commission and Zoning. Sign permits must be issued by the Zoning Section of the Department of Planning and Community and Economic Development prior to sign installations.
15. Parking and loading shall comply with MGO Sec. 28.11(4). Provide one (1) 10' by 35' loading area with 14' vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space.

NOTE: The Plan Commission waived the minimum size requirements for the designated loading zone, and the 10' by 32' loading area shown on plans approved by the Plan Commission is acceptable.

Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following 17 items:

16. In accordance with 10.34 MGO – STREET NUMBERS: Submit a PDF of all floor plans to Engineering Mapping Lori Zenchenko (addressing@cityofmadison.com) to coordinate the development of a preliminary interior addressing plan. Throughout the approval process, if there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
17. The final plan set submitted by the applicant for staff review and approval will eliminate discrepancies in numbers and locations of units.
18. A Certified Survey Map (CSM) application representing the overall final site shall be made by owner, approved by the City of Madison, and recorded prior to the recording of the PUD.
19. The existing public sidewalk adjacent to the east side of the site may require title clarification either by the CSM or separate instrument.
20. Any damage to the pavement will require restoration in accordance with the City's Patching Criteria. This will include milling 2-inches and resurfacing the entire cul-de-sac.
21. Revise proposed 'gooseneck' discharge to a 'curb outlet structure' in accordance with Standard Detail Drawing 5.7.13 of the City of Madison Standard Specifications for Public Works Construction.
22. It is anticipated that the applicant will be required to extend water service for fire protection to serve this site. Upgrades to the existing mains on Lake Street and Mendota Court would be required or, an alternate would be to have the applicant extend a private water service from Langdon Street to the site. The private water service would require the applicant acquire a private easement from the property to the south. Depending on the scope of the work involved, the applicant may be required to enter into a developer's agreement for this construction. The applicant shall meet with staff to discuss this issue further.

23. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project. (MGO 16.23(9)c).
24. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass. (POLICY)
25. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction. (POLICY)
26. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01)
27. The site plans shall be revised to show the location of all rain gutter down spout discharges. (POLICY)
28. The applicant shall demonstrate compliance with MGO Section 37.07 and 37.08 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.
29. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to submit an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website – as required by MGO Chapter 37.

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.
30. Applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number:
 - a) Building Footprints
 - b) Internal Walkway Areas
 - c) Internal Site Parking Areas
 - d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
 - e) Right-of-Way lines (public and private)
 - f) All Underlying Lot lines or parcel lines if unplatted
 - g) Lot numbers or the words "unplatted"
 - h) Lot/Plat dimensions
 - i) Street namesAll other levels (contours, elevations, etc) are not to be included with this file submittal

NOTE: Email file transmissions preferred addressing@cityofmadison.com. Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. (POLICY and MGO 37.09(2) & 37.05(4))
31. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work. (MGO 10.05(6)) and MGO 35.02(4)(c)(2))
32. 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. (POLICY)

NOTE: Permit applications for Nos. 31 and 32 are available on line at:
<http://www.cityofmadison.com/engineering/permits.cfm>

Please contact John Leach, Traffic Engineering, at 267-8755 if you have any questions about the following 6 items:

- 33. No residential parking permits shall be issued for *621 Mendota Court*, as is consistent with other projects in the area. In addition, the applicant shall inform all tenants of this facility of the requirement in their apartment leases and record in a revised zoning text. The applicant shall note in the Zoning Text that no residential parking permits shall be issued. In addition, the applicant shall submit a copy of the lease noting the above condition when submitting plans for City approval. Please contact William Knobloch or Bill Putman, Parking Utility at 266-4761 if you have questions regarding the above items.
- 34. The developer shall work with the City to resolve construction-related issues prior to submitting plans for approval. The site has limited areas on and off site for construction-related use. Mendota Court will need to remain open for two-way traffic at all time for properties taking access in the court. The applicant will need to keep all ingress/egress to all properties at all times or work with adjacent property owners to accommodate access and parking. In addition, Fire and Police will need to maintain access for service at all times. The applicant shall submit a construction staging plan at time of submittal for final approval.
- 35. When the applicant submits final plans of one contiguous plan for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and 617 to 619 Mendota Court light poles), type of surfaces, existing property lines, addresses, showing all easements, all pavement markings, building placement, and stalls, adjacent driveway approaches to lots on either side and across the 617 to 619 Mendota Court, 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'.
- 36. A "Stop" sign shall be installed at a height of seven (7) feet at the driveway approach. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
- 37. The Developer shall post a deposit and reimburse the City for all costs associated with any modifications to Mendota Court Lighting, Signing and Pavement Marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
- 38. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact Dennis Cawley, Water Utility, at 261-9243 if you have questions about the following 2 items:

- 39. The Madison Water Utility shall be notified to remove the water meter prior to demolition.
- 40. This property is not in a Wellhead Protection District. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Please contact Kay Rutledge, Parks Division at 266-4714 if you have questions about the following item:

- 41. This property lies within the Vilas-Brittingham park impact fee district. The developer shall pay approximately \$25,868.75 for park dedication and development fees for the 27 new multifamily units, which is the remaining amount due after a credit is given for the two existing structures.

2010 Fee Calculation		
fees in lieu of dedication = (27 mf units X \$ 1,477.00 per unit)	=	\$39,879.00
+park development fees = (27 mf units X \$ 592.50 per unit)	=	\$15,997.50
Subtotal: fees before credits		= \$55,876.50
credits = (19 E-SRO @ \$1,034.75 combined fee)	=	(\$19,660.25)
+ (5 mf units x \$2,069.50 combined fee)	=	(\$10,347.50)
Total credits		= (\$30,007.75)
\$55,876.50 Fees - \$30,007.75 Credit		= \$25,868.75

NOTE: A method for payment of park fees must be determined before signoff on the rezoning, and the total may change based on which year the fees are paid.

Please contact Scott Strassburg, Fire Department at 261-9843 if you have questions about the following 2 items:

- 42. Provide fire apparatus access as required by IFC 503 2009 edition, MGO 34.03(17) 34.19, as follows:
 - a) The site plans shall clearly identify the location of all fire lanes.
 - b) IFC 503 Appendix D105, 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 and not closer than 15 feet from the structure, and parallel to one entire side of the structure, if any part of the building is over 30 feet in height
- 43. 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 lays off the truck. See MGO 34.20 for additional information.

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

Building permits will not be issued until this process has been completed. No interior, exterior or structural demolition or wrecking activities or remodeling activities (including material reclamation activities by the applicant or a third party) shall commence nor any wrecking or building permits be issued until the applicant has met all of the conditions of approval stated in this letter.

If you have any questions regarding final approval of this plan or obtaining permits, please call Pat Anderson, Assistant Zoning Administrator, at 266-4551. If I may be of any further assistance, please do not hesitate to contact me at 266-5974.

Sincerely,

Heather Stouder, AICP
 Planner

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

Signature of Applicant

- cc: Janet Dailey, City Engineering
 Pat Anderson, Zoning
 John Leach, Traffic Engineering
 George Dreckmann, Recycling Coordinator
 Al Martin, Urban Design Planner
 Kay Rutledge, Parks Division
 Scott Strassburg, Fire Department

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