



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

Madison Municipal Building, Suite 017
215 Martin Luther King Jr. Boulevard
Madison, Wisconsin 53703
Phone: (608) 266-4635
www.cityofmadison.com

November 6, 2019

Melissa Huggins
Urban Assets, LLC.
807 E. Johnson Street
Madison, WI 53703

RE: Legistar #57441 & 57107; Accela ID: 'LNDUSE-2019-00095' -- Approval of a request to rezone the properties located at 2340 Winnebago Street and 2305-2311 E. Washington Avenue from the TR-V1 (Traditional Residential - Varied 1) and PD (Planned Development) Districts to the Amended PD District General Development Plan (Amended PD-GDP); approval of a request of a Planned Development zoning map amendment approving an Amended Planned Development District Specific Implementation Plan (Amended PD-SIP) for the same three properties; and approval of a request for three Demolition Permits to raze a commercial building and two single-family residences located on the three properties – all in order to construct a four-story, mixed-use building with a 20,500-square-foot daycare center and 38 apartments.

Dear Ms. Huggins;

At its November 5, 2019 meeting, the Madison Common Council found the standards met and **approved** your client's request to rezone the properties located at 2340 Winnebago Street and 2305-2311 E. Washington Avenue from the TR-V1 (Traditional Residential - Varied 1) and PD (Planned Development) Districts to the Amended PD District General Development Plan (Amended PD-GDP); and approval of your client's request of a Planned Development zoning map amendment approving an Amended Planned Development District Specific Implementation Plan (Amended PD-SIP) for the same three properties.

At its October 14, 2019 meeting, the Plan Commission found the standards met and **approved** your client's demolition permits for 2340 Winnebago Street and 2305-2311 E. Washington Avenue. The conditions of approval in the following sections shall be satisfied prior to issuance of demolition or building permits for the project.

Please contact Brenda Stanley of the City Engineering Division at (608) 261-9127 if you have questions regarding the following fourteen (14) items:

1. Obtain a permit to Excavate in the Right-of-Way for completing the improvements in the public Right-of-Way. The permit application is available on the City Engineering Division website at <http://www.cityofmadison.com/engineering/Permits.cfm>. As a condition of the permit, surety to guarantee the construction of the improvements and a deposit to cover estimated City expenses will be required.

2. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
3. Obtain a permit to Excavate in the Right-of-Way for the connection and/or installation of utilities required to serve this project and shall comply with all the conditions of the permit. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO 10.05(6)), MGO 35.02(4)(c)(2)), and MGO 37.05(7))
4. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
5. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
6. The property is an open contaminant site with the WDNR (BRRS #02-13-578416). Submit a digital copy of the site investigation report to Brynn Bemis (608.267.1986, bbemis@cityofmadison.com). Submit proof of coordination with the WDNR to remediate the site and address residual contaminant concerns associated with the proposed site plan (e.g. vapor mitigation, dewatering).
7. Revise the site plan to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)
8. The proposed development proposes to construct underground parking. The proposed entrance to the underground parking is adjacent to a street low point. The applicant shall provide at a minimum of one (1) foot of rise from the adjacent back of walk in the driveway before breaking grade to the down ramp to the underground parking to protect the underground parking from inundation.
9. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 100-yr design storm that is current in Madison General Ordinance Chapter 37. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin P.E. or licensed Plumber that show this requirement has been met.
10. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
11. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.

Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>

This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit. (POLICY)

This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.

Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.

12. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

The Storm Water Management Plan & Report shall include compliance with the following:

Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. 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 to City Engineering. (POLICY and MGO 37.09(2))

Rate Control: Detain the 2, 10, & 100 -year storm events, matching post development rates to predevelopment rates and using the design storms identified in Madison General Ordinances Chapter 37.

TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.

Volume Control: Provide onsite volumetric control limiting the post construction volumetric discharge to the predevelopment discharge volume as calculated using the 10-year storm event.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

13. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
14. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or troester@cityofmadison.com (West).

Please contact Jeff Quamme of the City Engineering–Mapping Section at (608) 266-4097 if you have any questions regarding the following five (5) items:

15. The proposed new building crosses an underlying platted lot line. Prepare a Certified Survey Map (CSM) and submit to the Planning Unit to dissolve underlying lot lines to comply with fire codes, City Ordinances and City Policies. The CSM shall be approved by the City, recorded with the Dane County Register of Deeds and new Tax Parcel information available prior to issuance of a building permit.
16. A retaining wall reaching a height of 8 feet will be necessary to be constructed for the driveway leading to the underground parking area. If the wall requires excavation, disturbance or subterranean support over any portion of the adjacent property, the applicant shall provide a recorded copy of the easement/agreement permitting any such uses on the adjacent property.
17. Record the deeds for the purchase of the two single family properties now proposed to be demolished and made part of the development.
18. Submit a Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan for each floor on a separate sheet for the development of a complete interior addressing plan. The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) prior to the application submittal for the final Site Plan Approval with Zoning. The approved Addressing Plan shall be included in said final site plan approval application. For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved. The final revised Addressing Plan shall be submitted by the applicant to Zoning to be attached to the final filed approved site plans.
19. The address of the proposed building is 2350 Winnebago St. Update all sheets accordingly.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following fifteen (15) items:

20. The applicant shall be responsible for constructing a substantial barrier between their ramp to underground parking and the property at 2303 Winnebago Street.

21. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
22. The developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
23. The City Traffic Engineer may require public signing and marking related to the development; the developer shall be financially responsible for such signing and marking.
24. All parking facility design shall conform to the standards in MGO Section 10.08(6).
25. The applicant(s) shall maintain a 5 foot wide, Americans with Disabilities Act (ADA) compliant, pedestrian walkway for the duration of the project on all street frontages classified as a collector or higher. The applicant shall also maintain a 5 foot wide bicycle lane for the duration of the project on all street frontages with existing bicycle facilities. Exceptions to this requirement may be granted by Traffic Engineering on a limited term basis if and when the applicant can show a public safety concern and they also provide a clear date when the pedestrian/bicycle facilities are to be restored. All closures shall be designed by the applicant, in accordance with the Manual on Uniform Traffic Control Devices (MUTCD), to be submitted and approved by Traffic Engineering.
26. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
27. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
28. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.
29. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.

30. The applicant shall provide a clearly defined 5' walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
31. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
32. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
33. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
34. The applicant shall provide more detail on their proposed joint driveway on E. Washington Avenue to be approved by City Traffic Engineering.

Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at (608) 266-4429 if you have any questions regarding the following eleven (11) items:

35. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com.
36. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
37. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
38. Provide bicycle parking spaces for the residential and daycare uses, as required per Sections 28.141(4) and 28.141(11). A minimum of 43 resident bicycle parking spaces are required plus 4 guest stalls. A minimum of 90% of the resident stalls shall be designed as long-term parking, and the guest stalls shall be short-term parking. Up to twenty-five percent (25%) of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking. A minimum of six (6) short-term bicycle stalls shall be required for the daycare use. Identify and dimension the bicycle stalls, including the access aisles, on the final plans. Provide a detail of the bicycle rack design.
39. Show the surface bicycle stalls on the landscape plan.
40. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.

41. Provide details of the play area including the fencing, ground surface, play equipment and whether outdoor storage is proposed for play equipment.
42. Submit a rooftop plan showing the location of any proposed rooftop mechanical equipment and screening. All rooftop and ground level mechanical equipment and utilities shall be fully screened from view from any street or residential district per Section 28.142(9)(d).
43. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
44. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.
45. Update the useable open space exhibit to show the qualifying at-grade useable open space areas. Usable open space at ground level shall be located in a compact area of not less than two hundred (200) square feet, with no dimension less than eight (8) feet and no slope grade greater than ten percent (10%). Usable open space shall not include areas occupied by buildings, driveways, drive aisles, off-street parking, paving and sidewalks, except that paved paths no wider than five (5) feet and pervious pavement may be included as usable open space. In addition to showing the at-grade useable open space areas, provide a calculation for the structured useable open space at roof decks, porches, and balconies meeting the minimum dimensional requirements.

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

46. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Tracy Burrus at tburrus@cityofmadison.com or (608) 266-5959.

Please contact Adam Wiederhoeft of the Madison Water Utility at 266-9121 if you have any questions regarding the following two (2) items:

47. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.
48. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two working days notice between the application submittal and the scheduled lateral connection/extension. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumberscontractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Please contact Kathleen Kane of the Parks Division at (608) 261-9671 if you have any questions regarding the following three (3) items:

49. Pursuant to the authority established under Wis. Stat. § 66.0617(7), and in the interests of promoting the development of low-cost housing in the City, low-cost housing is exempt from the park impact fees beginning January 1, 2017. This exemption only applies to those dwelling units or bedrooms within a development that are determined to be low-cost housing. This exemption does not extend to the land dedication requirements set forth under Sec. 16.23(8)(f), MGO, nor any other impact fees that may apply to a development.
50. The park impact fee will be exempt for developments that meet the “low-cost housing” requirements, as defined as rental or owner-occupied housing units that are affordable, as that term is defined in Sec. 4.22(2), MGO, and which meet the deed restriction requirements of Sec. 4.22(7). The determination whether a proposed development will create low-cost housing, and how much low-cost housing it will create, shall be made by the Community Development Division.
51. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project that is not exempted. This development is within the East Park –Infrastructure Impact Fee district. Please reference ID# 19044 when contacting Parks about this project.

Please contact Brad Hofmann of the Parks Division–Forestry Section at (608) 267-4980 if you have any questions regarding the following four (4) items:

52. City Forestry will issue a removal permit for one tree one due to driveway installation on E Washington Ave. Please contact City Forestry (608) 266-4816 to obtain the street tree removal permit.
53. Additional street trees are needed for this project. All street tree planting locations and trees species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brad Hofmann – bhofmann@cityofmadison.com or (608) 266-4816. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction -
54. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2018/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

55. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester prior to the approval of the site plan.

Please contact Tim Sobota, Metro Transit, at (608) 261-4289 if you have any questions regarding the following four (4) items:

56. In coordination with any public works improvements, the applicant shall maintain or replace the concrete boarding pad surface at the existing Metro bus stop on the west side of South Sixth Street, south of East Washington Avenue (#1762).
57. The applicant shall install and maintain a bench or other seating amenity in the adjacent property landscape plan, ideally taking advantage of any building overhang or canopy to provide the seating amenity some shelter from the elements. The applicant may alternatively elect to install and maintain a passenger waiting shelter, with bench seating, if the applicant believes this upgraded amenity feature would be more compatible with the residential unit entrances that are shown directly adjacent the existing bus stop loading zone area.
58. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.
59. Metro Transit currently operates daily transit service along South Sixth Street south of the East Washington Avenue intersection. Bus stop ID #1762 is adjacent the proposed project site along the west side of South Sixth Street, with the bus stop zone encompassing the area from the existing bus stop sign pole north through to the East Washington Avenue intersection.

Please contact Janine Glaeser, Urban Design Commission Secretary, at (608) 267-8740 if you have any questions regarding the following four (4) items from the Urban Design Commission:

60. Swap out Barberry for another small-scale shrub. Other considerations, switch grass, tall sedums, or bigger dwarf ninebarks. Consider also honeysuckle and hydrangeas
61. Replace stone mulch with wood mulch
62. Change residential entry door color to look like a stained wood door
63. Consider changing color of secondary daycare entrance to something other than red; keep the main recessed daycare entrance as red.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

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

1. After the plans have been revised per the above conditions, please file **eleven (11) sets** of complete, fully dimensioned, and to-scale plans, the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, and any other documentation requested herein with the Zoning Administrator, Room 017, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. **This submittal shall all also include one (1) complete digital plan set in PDF format.** The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval.
2. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature block below]
3. Under State Statute §66.10015(5), this approval shall be valid for five (5) years from the date of the Common Council Approval granted on November 5, 2019. If this plan is not recorded by that time, as described above, the approval shall be null and void.

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at (608) 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at (608) 261-9135.

Sincerely,



Chris Wells
Planner

cc: Brenda Stanley, City Engineering Division
Jeff Quamme, City Engineering Division – Mapping Section
Sean Malloy, Traffic Engineering Division
Jenny Kirchgatter, Asst. Zoning Administrator
Bill Sullivan, Madison Fire Department
Adam Wiederhoeft, Madison Water Utility
Kathleen Kane, Parks Division
Brad Hofmann, Forestry Section
Tim Sobota, Metro Transit
Janine Glaeser, Urban Design Commission
Bryan Johnson, Streets Division

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

Signature of Applicant

Signature of Property Owner (If Not Applicant)

LNDUSE-2019-00095			
For Official Use Only, Re: Final Plan Routing			
☒	Planning Div. (Wells)	☒	Engineering Mapping Sec.
☒	Zoning Administrator	☒	Parks Division
☒	City Engineering	☒	Urban Design Commission
☒	Traffic Engineering (EP)	☒	Recycling Coord. (R&R)
☒	Fire Department	☐	Other:
☒	Water Utility (EP)	☐	Other: