



Department of Planning & Community & Economic Development  
**Planning Division**

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February 7, 2008

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

RE: Approval to demolish six buildings and rezone the property from R6 (General Residence District) and C1 (Limited Commercial District) to PUD-GDP (Planned Unit Development Plan-General Development Plan) to allow for the construction of a 67-unit apartment building at 301 N. Hamilton Street.

Dear Mr. Miller:

At its February 5, 2008 meeting, the Common Council **conditionally approved** your application to demolish six buildings and rezone the property from R6 (General Residence District) and C1 (Limited Commercial District) to PUD-GDP (Planned Unit Development Plan-General Development Plan) to allow for the construction of a 67-unit apartment building at 301 N. Hamilton Street. The following conditions of approval shall be satisfied prior to final approval and recording of the general development plan and the issuance of any demolition permits:

**Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following twenty-two (22) items:**

1. Site plan lacks detail of proposed utilities and site grading or site elevations. Preliminary concern shall be flood protection for the underground parking and garage entrance. Additional detail is needed for subsurface conditions for proposed underground parking (soil conditions, groundwater, stabilization plan adjacent to right-of-way, etc.).
2. Removal of terrace trees must be approved by the City Forester.
3. Any damage to pavement on North Hamilton or North Hancock will require restoration in accordance with the City's Patching Criteria.
4. Apartment addresses must be coordinated with City Engineering Mapping and Land Records Program Specialist Lori Zenchenko prior to issuance of building permits. E-mail transmission of proposed floor plans in PDF format to [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com) is preferred, or call Ms. Zenchenko at 266-5952 to coordinate.
5. 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.

6. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
7. The approval of this demolition 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.
8. 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.
9. 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.
10. 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.
11. All work in the public right-of-way shall be performed by a City licensed contractor.
12. The site plans shall be revised to show the location of all rain gutter down spout discharges.
13. 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.
14. 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.
15. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website – as required by Chapter 37 of the Madison General Ordinances.
16. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko). The digital copies shall be drawn to scale and represent final construction, including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, other miscellaneous impervious areas.

17. 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>
18. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>
19. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>
20. Prior to approval of the 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>
21. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
22. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service.

**Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions about the following fifteen (15) items:**

23. A condition of approval shall be that no residential parking permits will be issued for 301 North Hamilton Street, this would be consistent with other projects in the area. In addition, the applicant shall inform all tenants in the apartment leases. The applicant shall submit for 301 North Hamilton Street a copy of the lease noting the above condition in the lease when submitting plans for City approval.
24. This size of apartment facility along with the commercial development proposed shall be required to provide a loading and unloading area on site. The applicant shall show the dumpster areas and how a trash truck will be able to service the area by not backing the right-of-way, blocking the public sidewalk or roadway. In this case, no trucks shall use East Johnson Street to ingress or egress by backing onto or off site. In addition, no loading or unloading areas shall occur on East Johnson Street, primary Arterial. The applicant shall relocate the dumpster to accommodate this condition to North Hancock Street or Hamilton Street. The applicant shall remove all proposed loading zones as proposed as shown on the plan sheets. Site plan approval does not include proposed loading zones or parking on the public street.
25. The attached Traffic Signal/Street Light declaration of conditions and covenants shall be executed and returned with site plans.

26. The developer shall work with the City to resolve construction-related issues prior to submitting final plans for approval. The site has limited areas on and off site for construction-related use. There shall no or very limited impact to Johnson St. or Gorham St.
27. The applicant shall modify the bike parking area to be on the site not in the City right-of-way. Any encroachment onto the public right-of-way will need to be approved by City of Madison Real Estate Division prior to plans being submitted for approval.
28. The applicant shall indicate the type of bicycle racks to be installed both inside and outside.
29. The applicant should provide an area for visitor outside and inside tenant moped parking spaces and access. Moped standard parking spaces recommend 4 ft in width and 6 ft in length with a 6 ft access aisle.
30. 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, 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'.
31. The driveway from the public street to the underground parking lot shall be modified to provide for two-way operation at a minimum width of eighteen ft in width or that which is called for in greater in accordance to M.G.O. 10.08(6)(a) 4. The applicant shall dimensions for the driveway item "F" of 20 ft for vehicles to turning from the street to the underground parking. The applicant shall demonstrate vehicle ingressing and egressing to North Hamilton Street accommodating all turning right and left turning movements. The angle of approach of any driveway shall be not less than forty-five degrees to the public street. The proposed driveway is zero to the street and shall be modified to accommodate the M.G.O.
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. 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.
34. The applicant shall design the underground parking areas for stalls and backing up according to Figures II of the ordinance using the 9' or wider stall for the commercial/retail area. The "One Size Fits All" stall shall be used for the residential parking area only, which is a stall 8'-9" in width by 17'-0" in length with a 23'-0" backup. Aisles, ramps, columns, offices or work areas are to be excluded from these rectangular areas, when designing underground parking areas.
35. The attached Traffic Signal/Street Light declaration of conditions and covenants shall be executed and returned with site plans. The development shall acknowledge on their proportionate share of traffic signal assessments. The development shall further agree in writing to not oppose their proportionate share of the traffic signal assessments as part of the City's Special Assessment districts for traffic signals.
36. The Developer shall post a deposit and 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, engineering and materials for both temporary and permanent installations.

37. 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 Scott Strassburg, Madison Fire Department, at 261-9843 if you have questions about the following item:**

38. Future construction of 70-unit apartment buildings will have to comply with Comm. 62.0509 and MGO 34.

**Please contact Matt Tucker, Zoning Administrator, at 266-4551 should you have questions regarding the following eight (8) conditions.**

39. Final plans must show the provision of 72 bicycle parking spaces on site (one per dwelling unit plus two for commercial space). The submitted plans show 9 additional spaces in the right-of-way, which do not count toward this requirement.

40. Work with Planning and Zoning staff to identify additional areas for bicycle and scooter parking, as well as to devise methods to restrict bicycle and scooter parking from terrace and other non-designated parking/storage areas on the site.

41. In regard to the provision of off-street loading berths, the applicant has not provided a designated of-street loading area for this project, and asks for a waiver of said requirement with this request. It appears loading needs will be managed through a request for on-street loading berths.

42. Meet all applicable State accessible requirements, including but not limited to:

- a. Provide a minimum of four accessible stalls striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 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 elevator. Parking stalls shall not block the entry to the elevators.

43. The zoning text needs to be clarified in regard to permitted land uses. Please modify bullet point #1 in the permitted uses list to state: "Residential uses as those specified on the approved plans; and for the commercial space, those uses listed as permitted in the C1 Limited Commercial District".

44. Provide building height, in city datum, on final submitted plans.

45. Identify Useable Open Space areas and area calculations when SIP is submitted.

46. Provide a reuse/recycling plan, to be reviewed and approved by The City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permits being issued.

**Please contact my office at 267-1150 if you have questions about the following ten conditions regarding the following seven (7) items:**

47. That no demolition permit be issued prior to the approval of a Specific Implementation Plan.

48. That the applicant submits an updated zoning text reflecting the clarifications provided in the revised submittal. This text would be subject to the approval of the Zoning Administrator and Planning Division. Text should reflect the following:
  - a. Residential Uses as shown on approved plans,
  - b. Uses permitted in the C1 district only for the ground floor of the “Pinkus McBride Building”, and
  - c. Office uses permitted in the O1 zoning district only in the upper floor of the “Pinkus McBride Building” as a permitted alternative to the residential units approved on plans.
49. That the applicant revises plans for the corner of Hancock, Hamilton, and Gorham streets, per Urban Design Commission approval, at the SIP phase.
50. That the applicant revises the Hancock Street facade to address the material concerns noted in the Planning Division Staff Report Addendum dated January 28, 2008.
51. That the applicant includes a plan for rehabilitating and restoring the existing Pinkus McBride Building as part of the SIP submittal.
52. That the applicant revise site/landscape plans to eliminate encroachment into the right of way, or in the alternative, obtain proper City approvals prior to installing the treatments, as shown on revised plan set.

After the plans have been changed as per the above conditions, please file **nine (9) sets** of the revised, complete site plans, building elevations, floor plans 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.

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-six (36) months of Common Council approval of the general development plan, the basic right of use for the areas, when in conformity with the approved specific implementation plan, shall lapse and be null and void unless 1) the project, as approved, is commenced by the issuance of a building permit, or 2) if an application for an extension is filed at least thirty (30) days prior to the expiration of the thirty-six (36) month period and the Plan Commission, after a public hearing pursuant to Sec. 28.12(10)(e), determines that no changes in the surrounding area or neighborhood since approval of the general development plan render the project incompatible with current conditions and grants an extension of up to twenty-four (24) months in which to obtain a building permit. In no case shall an extension allow a building permit to be issued more than sixty (60) months after approval of the general development plan by the Common Council. If a new building permit is required pursuant to sec. 29.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain general development plan approval and 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. If I may be of any further assistance, please do not hesitate to contact me at 267-1150.

Sincerely,

Kevin Firchow, AICP  
Planner

cc: Matt Tucker, Zoning Administrator  
Janet Dailey, City Engineering  
John Leach, Traffic Engineering  
Scott Strassburg, Madison Fire Department  
Ed Freer, The Alexander Company, Inc (via email only)

<b>For Official Use Only, Re: Final Plan Routing</b>			
<input checked="" type="checkbox"/>	Planning Division (T. Parks)	<input type="checkbox"/>	CDBG Office (IZ-related)
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division (Park fees)
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Recycling Coordinator (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: Madison Metro