



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
TDD 608 266-4747
FAX 608 267-8739
PH 608 266-4635

June 19, 2007

Andy Inman
Vierbicher Associates, Inc.
999 Fourier Drive #201
Madison, WI 53717

RE: Approval of a demolition permit for five primary structures and one accessory structure to accommodate a mixed-use redevelopment project.

Dear Mr. Inman:

The Plan Commission, meeting in regular session on July 9, 2007, determined that the ordinance standards could be met and **approved** your client's request for a demolition permit for five primary structures and one accessory structure, subject to the conditions below. In order to receive final approval of the demolition permit, the following conditions must be met:

Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following 20 items:

1. Any damage to the new asphalt on the Beltline Frontage Road will require restoration in accordance with the City's patching criteria.
2. If multiple lots shall share a private sanitary sewer, an ownership and maintenance agreement shall be recorded.
3. A McDivitt Road right-of-way dedication of three feet, consistent with right-of-way dedication per Certified Survey Map (CSM) 8548, will be required. This can be accomplished by a new CSM application dedicating such, or independent Real Estate project, which requires a \$500 administrative processing fee. The CSM application may better serve both the owner and the city with the given circumstances. In the event of the Phase I Environmental Assessment disclosing contamination and subsequent remediation does not coincide with CSM recording, permanent easement rights in lieu of fee dedication can be accepted.
4. Please submit all Phase I Environmental Documentation to Joe Demorett, of City Engineering.
5. Multiple lots share a private storm sewer and shall require an ownership and maintenance agreement be recorded.
6. Public utility easement releases must be recorded and provided to City Real Estate and City release recorded prior to CSM recording. CSM must create necessary public utility replacement easements to serve the site.
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 applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
9. All work in the public right-of-way shall be performed by a City licensed contractor.
10. 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.
11. 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.
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 control 40% TSS (20 micron particle) and 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 signoff. NOTE, the applicant has discussed with the Engineering Division the approved condition in which the applicant is to detain the 2 & 10-year storm event. Any agreed to changes to that condition can be resolved in final review.
13. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko) lzenchenko@cityofmadison.com. 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, and other miscellaneous impervious areas. Email file transmissions preferred. Please include the site address in this transmittal.
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, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities, and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
15. The applicant shall submit prior to plan sign-off, electronic copies of any stormwater management file including: SLAMM DAT files; RECARGA files; TR-55/HYDROCAD/etc. and; 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.
16. 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>.
17. 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>

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. This permit application is available on line at:
<http://www.cityofmadison.com/engineering/permits.cfm>.
19. 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.

Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions regarding the following twelve items:

20. 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.
21. The applicant shall be responsible for securing all proper permits and approvals from any municipality or government unit having jurisdiction with the project. In particular, the applicant would have needed to contact Lisa Stern, Wisconsin Department of Transportation (608-246-3816), with site plans sets for review and approval. *City of Madison Traffic Engineering Division Staff has contacted the Wisconsin Dept. of Transportation (WDOT) about the property line and all access to the West Beltline Highway Service as shown. WDOT and Traffic Engineering staffs have agreed to grant/grandfather in access in the "No Access" Restriction, driveway in the right-of-way and access as noted on the site plan. The applicant shall modify the most easterly driveway approach per WDOT request to 30 ft with 10 ft flares.*
22. The applicant shall contact the Department of Planning and Development to comply with M.G. O. Sec. 16.23(3)(d)--Highway Noise Land Use Provisions policies and ordinances.
23. The applicant shall show residential buildings and driveways, and landscaping across McDivitt Road. The applicant shall demonstrate impact of auto headlights on the residential property across the street. The Plan Commission may require the applicant to address properties across the street to reduce headlights impact on sites.
24. 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), existing driveway approaches, 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' according to M.G.O.
25. The applicant shall show the dimensions for proposed surface and parking ramp plan parking stalls' items A, B, C, D, E, F, and degree of angle parking width and backing up, according to Figures II "Medium and Large Vehicles" parking design standards in Section 10.08(6)(b) 2. Signs and planting areas are to be excluded from the rectangular stall areas including the two (2) feet of vehicle overhang. The two (2) feet of vehicle overhang shall be shown on the plan and dimensioned. Aisles, ramps, bumper stops, columns, or street light

poles are to be excluded from the rectangular stall areas. The applicant will need to submit parking ramp plans.

26. A "Stop" sign shall be installed at a height of seven (7) feet at the W. Beltline Service Road and Todd Drive driveway approaches. 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.
27. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
28. The applicant shall modify the all driveway approaches according to the design criteria for a "Class III" driveway in accordance to Madison General Ordinance Section 10.08(4). The proposed maximum of 30 ft width for the driveway approach, and shall have two 5 to 10 ft flares. The westerly driveway approach on the Beltline Service Road, Wisconsin Dept. of Transportation (WDOT) recommended the driveway be a Class III approach in the past. The applicant shall contact WDOT would approve the approach with a median. If WDOT will approve the westerly approach, the applicant shall contact Traffic Engineering, City of Madison, for details of the design to be included in submittal. This change shall be revised on the plan submit for approval.
29. The applicant shall modify the westerly driveway according to M.G.O. 10.08(3)(b), No entrance shall be closer than five (5) ft. to an adjacent property line. The applicant shall dimension all driveway approaches that any two driveway approaches shall be at least ten (10) ft. apart and in no case less than the sum of the approach flare. The applicant shall modify the Todd Drive approach with the adjacent property.
30. 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.
31. 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 Matt Tucker, the Zoning Administrator, at 266-4551 if you have questions regarding the following seven items:

32. Meet all applicable State accessible requirements, including but not limited to:
 - a. Provide a minimum of **16** accessible stalls striped per State requirements. A minimum of **four** of the stalls shall be van accessible stalls 8' wide with an 8' striped out area adjacent. Disburse stalls in ramp and surface lot. (Show floor plans of the ramp including accessible stalls.)
 - b. Show signage at the head of the stalls. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
 - c. Show the accessible path from the stalls to the building. The stalls shall be as near the accessible entrance as possible. Show ramps, curbs, or wheel stops where required.
33. Indicate on site plan the overhead building connections between the buildings and the ramp.
34. Show addresses of the tenant spaces on the site plan.

35. Provide **78** bike parking stalls in a safe and convenient locations 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. Disburse the bike stalls on the surface of the site and in the ramp.**
36. Parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.) **Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch or other non-vegetative cover.** All plant materials in islands shall be protected from vehicles by concrete curbs.
37. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards. Lighting will be limited to .10 watts per square foot.
38. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances. Permits must be issued by the Zoning Section of the Department of Planning and Community and Economic Development.

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

39. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows: (*commercial structures only*)
 - a. The site plans shall clearly identify the location of all fire lanes.
 - b. 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, if any part of the building is over 30 feet in height.
 - c. Provide a fire lane that extends to within 150-feet of all exterior portions of the structure, or it can be extended to within 250-feet if the building is fully sprinklered.
 - d. Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.

Please contact my office at 267-1150, if you have questions regarding the following three items:

40. The applicant submits a revised "Planting Plan and Plant Schedule" that includes a key linking the plant list to their specific locations on the plan, subject to final approval by Planning Division staff.
41. The applicant submits elevations depicting the all sides of parking structure, subject to final approval by Planning Division staff.
42. That a CSM combining the parcels is approved. NOTE, as a clarification, an approved CSM is required prior to the issuance of building permits.

Please now follow the procedures listed below for obtaining your conditional use:

1. Please revise your plans per the above and submit *nine (9) copies* of a complete plan set to the Zoning Administrator for final review and comment. Also be sure to include any additional materials requested by these departments for their approval prior to sign off.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting demolition and/or building permit approval.
3. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. This approval shall become null and void one year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within six months of the issuance of said building permit. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use.

If you have any questions regarding obtaining your demolition or building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 267-1150.

Sincerely,

Kevin Firchow, AICP
Planner

Enclosures

cc: Matt Tucker, Zoning Administrator
Scott Strassburg, Madison Fire Department
John Leach, Traffic Engineering
Janet Dailey, Engineering Division

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

Signature of Applicant

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Division (Firchow)	<input checked="" type="checkbox"/>	Recycling Coordinator
<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 type="checkbox"/>	Other: