

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
Of October 29, 2008**

RE: LD. #12461, Conditional Use Application – 100 N. Hamilton Street

1. Requested Action: Approval of a conditional use for major alteration and addition in the C4 Central Commercial District to allow a former office building located at 100 N. Hamilton Street to be converted into the new Madison Children's Museum.
2. Applicable Regulations: Section 28.09(5)(d) identifies any new construction of a building or addition to an existing building, or major alteration to the exterior face of a building as a conditional use in the C4 Central Commercial District. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.
3. Report Prepared By: Timothy M. Parks, Planner

GENERAL INFORMATION

1. Applicant: Ruth G. Shelly, Madison Children's Museum; 100 State Street; Madison.

Agent: Michael Huffman, Huffman Facility Development, Inc.; 100 N. Hamilton Street, 4th Floor; Madison.

Property Owner: Overture Development Corporation; 1 S. Pinckney Street, Suite 816; Madison.
2. Development Schedule: The applicant wishes to proceed as soon as all necessary approvals have been granted, with completion scheduled for April 2010.
3. Location: A triangularly shaped, approximately 0.54-acre parcel consisting of the City block bounded by N. Hamilton Street, N. Pinckney Street and W. Dayton Street; Aldermanic District 4; Madison Metropolitan School District.
4. Existing Conditions: The site is occupied by a five-story office building and attached parking deck, zoned C4 (Central Commercial District).
5. Proposed Land Use: The existing office building will be converted into the new home of the Madison Children's Museum, with a rooftop garden and exhibit space and stairwell addition also proposed.
6. Surrounding Land Use and Zoning: The subject site occupies a transitional area that sees a shift in land uses from C4 and PUD-zoned office, service and restaurant uses on the Capitol Square along W. Mifflin and N. Pinckney streets to more residential uses to the northwest

and east, including the Hamilton Place Apartments and small apartment and offices uses along W. Dayton Street and Capitol Point Condominiums across N. Hamilton Street.

7. **Adopted Land Use Plan:** The Comprehensive Plan identifies the subject site within the boundaries of the "Downtown Core" downtown mixed-use sub-district. Development in this district is recommended to include mixed-use buildings containing a mix of office, service, dining, entertainment, etc. uses on the lower floors and residential uses on upper floors as well as government, cultural and institutional uses, lodging and structured parking.
8. **Environmental Corridor Status:** The subject site is not located in a mapped environmental corridor.
9. **Public Utilities & Services:** The property is served by a full range of urban services.

STANDARDS FOR REVIEW

This application is subject to the conditional use standards of Section 28.12 (11).

ANALYSIS, EVALUATION & CONCLUSION

The Madison Children's Museum is requesting approval of a conditional use to allow a five-story office building located at 100 N. Hamilton Street to be renovated and expanded into the new home of the museum, which is currently located on the western side of the Capitol Square at 100 State Street. The subject site occupies the entire triangularly shaped block formed by W. Dayton Street, N. Hamilton Street and N. Pinckney Street and is located in the C4 Central Commercial zoning district.

The subject building is principally a four-story structure with a fifth level partially exposed along the northerly and westerly sides. The first fully exposed floor of the building is located equal with the grade at the corner of N. Pinckney and N. Hamilton streets adjacent to the Capitol Square. The structure was constructed in 1929 and was a Montgomery Ward department store prior to being converted to its current use as a multi-tenant office building. An attached two-level parking deck generally extends along the W. Dayton Street side of the building, with the upper level located equal with the partially exposed fifth floor. Driveways to the upper parking level are provided from both N. Pinckney and N. Hamilton streets. The lower parking level is located equal with the basement level of the building, with vehicular access provided from W. Dayton Street.

Exhibit space for the relocated museum will occupy the first three full stories above the grade of the N. Pinckney-N. Hamilton intersection, with a partial lower level exhibit space proposed a half-story below the first full floor along the northerly wall. The main entrance to the museum will be located at the N. Pinckney-N. Hamilton intersection and will face the Capitol Square. The

northerly portion of the fourth full floor will initially be used for museum-related offices, with an expansion of exhibit space to occupy the remainder of that floor in a future phase. The ground level on the N. Pinckney Street side will be used for museum storage, loading, staging and workshops. The existing parking deck will be retained and will provide 60 parking stalls for use by museum patrons.

In addition to the interior renovation proposed, the museum is proposing to add a rooftop deck along the southwesterly two-thirds of the roof paralleling N. Pinckney Street and a stair enclosure and secondary entrances along the northwesterly wall. The stair addition will extend up from the lower level of the parking deck to provide secondary egress for the building and rooftop deck. The secondary entrances will be located on both levels of the parking deck. The rooftop deck will consist of a garden extending the length of the N. Pinckney Street side of the building with an enclosed clubhouse, restrooms, elevator lobby and staff workspace to comprise the rest of the rooftop space. The portion of the roof at the northerly end of the building that will not be occupied by the rooftop deck will house photovoltaic panels. PV panels will also be located on the roof of the clubhouse structure. A glass-enclosed "view balcony" or prow is shown at the southern tip of the rooftop deck, which will overlook the main museum entrance facing the Capitol Square.

As part of the conversion of the office building and former department store to the museum, the applicant proposes to restore many of the original exterior features that were modified primarily during the conversion of the building into offices. Among the exterior improvements proposed to be implemented over time are the restoration of some of the stone exterior of the building that was covered in stucco-like material, the cleaning and painting of art deco metal panels located between the third and fourth floor windows and the replacement of some windows. Additionally, the museum proposes to add fabric banners perpendicular to portions of the N. Pinckney Street and N. Hamilton Street elevations and to place awnings above the storefront windows on either side of the main entrance. The proposed rooftop deck will feature a more contemporary design that will include a combination of fiber cement and corrugated metal panels and standing seam metal roofs for the enclosed structures with metal mesh fencing system to enclose the rooftop. The stair addition will be clad with two-toned masonry units.

The C4 Central Commercial District identifies any new construction of a building or addition to an existing building, or major alteration to the exterior face of a building as a conditional use requiring Plan Commission Urban Design Commission (UDC) approval. The UDC reviewed the project on October 15, 2008 and granted final approval (see attached reports).

The Planning Division felt that the addition of the rooftop deck warranted review and approval by the Plan Commission to primarily allow input on the addition of the rooftop deck for the museum at a duly noticed public hearing due to the presence of numerous residential units located across N. Hamilton Street and W. Dayton Street from the site. The Planning Division believes that both the museum and rooftop deck, which will be open until 5:00 PM daily, will

have a limited impact on surrounding properties and that overall the project represents a dynamic reuse of a architecturally significant downtown building. Staff feels that the relocation of the museum to this location substantially conforms to the recommendations of the Comprehensive Plan, which identifies cultural and entertainment uses as appropriate for the Downtown Core mixed-use downtown sub-district.

During the Urban Design Commission review of the museum project, the UDC recommended that the glass balcony or prow overlooking the main entrance at the corner of N. Hamilton and N. Pinckney streets be removed following the recommendation of Kitty Rankin, the City's preservation planner. A memo from Ms. Rankin to the UDC explaining the rationale for removing the prow is attached. The Planning Division recommends that the Plan Commission grant approval of this project subject to the overlook balcony/ prow being removed.

RECOMMENDATION

The Planning Division recommends that the Plan Commission find the conditional use standards met and **approve** a major alteration and addition in the C4 Central Commercial District to allow a former office building located at 100 N. Hamilton Street to be converted into the new Madison Children's Museum, subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That the final plans be revised per Planning Division approval prior to final signoff and the issuance of building permits to show the removal of the glass balcony or prow overlooking the main entrance at the corner of N. Hamilton and N. Pinckney streets.
3. That the applicants receive all necessary approvals from the City of Madison for any building encroachments (utility vaults, footings, banners, awnings, projections, etc.) into the N. Pinckney Street and N. Hamilton Street rights of way prior to final approval of this conditional use and the issuance of any building permits for the exterior alterations and addition. Note that in order to comply with this condition, the applicants may need to provide a current survey of the property clearly identifying the boundaries of the property and the setbacks of the building from the property lines. Also note that any advertising graphics on the banners may not be permitted in the public right of way as determined by the Zoning Administrator and Office of Real Estate Services.

Report to the Urban Design Commission

re: 102 N. Hamilton Street
from: Katherine H. Rankin, Preservation Planner
date: October 9, 2008

The building at 102 N. Hamilton Street was identified as a potential Landmark in the Downtown Historic Preservation Plan in 1998. It was built in 1929-1930 by the local Jackson Realty Company as a store for the Montgomery Ward Co. Law, Law and Potter, the architects, designed it in the Art Deco style, a style that was very popular for downtown buildings in the period and a style for which the firm was particularly adept. Except for later windows, the exterior of the building is relatively intact.

The Children's Museum plan calls for restoring most of the windows to their original appearance, with the top level of windows to be restored at a later date as funds allow. The major changes to the building will be to the ca. 1990 addition on the rear and to the roof of the structure. While these alterations will be playful in color and shape, they will not detract from the character of the main structure. Roof alterations include a fence and the addition of several small, one-story structures on the roof. The fence will be designed to be as transparent as possible while still provided a safe and visually secure border to the rooftop gardens. The fence will also be reversible if at some point a new owner wishes to remove it to restore the original appearance of the building. Although the rooftop buildings will be somewhat visible from the ground, they are set back from the main corner of the building and only bits of the tops will be visible from the ground.

The only element of the design that, in my opinion, will detract from the historic character of the building is the projecting prow of the roof deck over the front corner of the building. Because of its location at the crown of the most important view of the building, it will add a modern and intrusive element that will clash with the original Art Deco style of the structure. I recommend eliminating this small part of the deck and bringing the fence line back to line up with the front of the building.

AGENDA # 7

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION	PRESENTED: October 15, 2008
TITLE: 100 North Hamilton Street – Building/Façade Addition and Site Alteration in the C4 District. 4 th Ald. Dist. (12028)	REFERRED: REREFERRED: REPORTED BACK:
AUTHOR: Alan J. Martin, Secretary	ADOPTED: POF:
DATED: October 15, 2008	ID NUMBER:

Members present were: Lou Host-Jablonski, Chair; Bruce Woods, Jay Fern, Ron Luskin, Marsha Rummel, Dawn Weber, Richard Slayton and Richard Wagner.

SUMMARY:

At its meeting of October 15, 2008, the Urban Design Commission **GRANTED FINAL APPROVAL** of the project “as is.” Appearing on behalf of the project were Ruth G. Shelly, Fred Lind and Mike Huffman, all representing the Madison Children’s Museum; and Mark Lefebvre, representing Kubala Washatko Architects. Host-Jablonski and Luskin abstained from consideration of this item. The review of the modified plans emphasized the following:

- The proposed use of EIFS along the backside stairwell has been eliminated in favor of the use of ground face masonry units in three different colors as part of horizontal banding in a pattern application.
- Modifications to the design for the rooftop elements features its redesign for playfulness and appropriate massing as previously requested.
- The safety fence around the perimeter atop the building has been redesigned and pulled back from the parapet.
- A review of comments by Kitty Rankin, Preservation Planner relevant to the exterior modifications to the building was noted. Rankin’s report emphasized issue with the detraction from the historical character of the building with the proposed projecting prow of the roof deck over the front corner of the building that will clash with the building’s original art deco style with a “modern and intrusive element.” Rankin recommended elimination of the extending prow or deck, the realignment of the rooftop’s perimeter fence back to line up with the front of the building.

In discussion between the applicants and the Commission, the applicant emphasized the need to maintain the projecting prow as proposed as an attraction and lookout for kids and a tool for map-based education. Following review of the plans the Commission noted the following:

- Concern with platform’s impact on the view of the Capitol.
- Agree with Rankin’s memo and the impact of the projecting prow on the aesthetic character of the building.
- Possible to cantilever without a prow, cantilever leveling along the edge of the building.
- Support prow.

- Modern insertions (such as the prow) can be removed later to maintain historic character of the building.
- The projection affects the historic character of the building, an alternative feature can provide a similar experience.
- Prow changes whole feel of building and historic view, especially with other rooftop features.

ACTION:

On a motion by Slayton, seconded by Ferm, the Urban Design Commission **GRANTED FINAL APPROVAL**. The motion was passed on a vote of (6-1) with Rummel voting no. An amendment to the motion to delete “the prow” on the façade’s flatiron feature failed on a vote of (4-2) with Wagner and Rummel voting no.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 7, 7, 8, 8 and 8.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 100 North Hamilton Street

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	-	8	-	-	-	-	8	8
	-	7	-	-	-	-	7	7
	-	-	-	-	-	-	-	8
	-	-	-	-	-	-	-	7
	-	8	-	-	-	-	8	8

General Comments:

- Excellent.
- Great work.
- Wonderful use of roof.
- Excellent reuse of grand historic building. Request Plan Commission to take a look at prowl per recommendation of presentation planner.

AGENDA # 10

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION	PRESENTED: September 24, 2008
TITLE: 100 North Hamilton Street – Building/Façade Addition and Site Alteration in the C4 District. 4 th Ald. Dist. (12028)	REFERRED: REREFERRED: REPORTED BACK:
AUTHOR: William A. Fruhling, Acting Secretary	ADOPTED: POF:
DATED: September 24, 2008	ID NUMBER:

Members present were: Lou Host-Jablonski; Chair, Todd Barnett, Richard Slayton, Ald. Marsha Rummel, Ron Luskin, Dawn Weber, Bruce Woods, and John Harrington.

SUMMARY:

At its meeting of September 24, 2008, the Urban Design Commission **GRANTED INITIAL APPROVAL** of a building/façade addition and site alteration in the C4 District. Appearing on behalf of the project were Ruth Shelly, Mike Huffman, Mark Lefebure, and Fred Lind. Shelly gave an overview of the project and stated that they will be restoring the openings for the original door and storefront windows. She stated that the project will incorporate a useable rooftop and that they will be seeking LEED certification. Lefebure further described the architecture and stated that a rear elevator/stair tower is required and they are proposing to clad it in a more brightly colored EIFS. Huffman stated that they will come back to the Commission to seek approval of signage and banners and that they are not part of this request.

The Commission discussed the following points:

- Whether the structures on the roof should compliment the historic character of the building, or be more colorful.
- EIFS is not an appropriate material on a major civic building, so alternative higher quality materials (such as metal panels) should be explored.
- The need to see some additional images of the barrier around the perimeter of the roof so the Commission can better understand how that element, and the landscaping, etc. behind it, will be perceived.

ACTION:

On a motion by Barnett, seconded by Rummel, the Urban Design Commission **GRANTED INITIAL APPROVAL** of a building/façade addition and site alteration in the C4 District, subject to the following conditions:

1. That a alternative materials for EIFS on the stair/elevator tower be explored with the goal of not adding any new EIFS to the building;

2. That the rooftop elements be revisited to either make them more in keeping with the architecture of the building or more playful;
3. That the project be referred to the Preservation Planner, or the Landmarks Commission if she deems it necessary.

The motion passed on a vote of 6-0-2 with Host-Jablonski and Luskin abstaining.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 7, 7, 7.5, 7.5 and 9.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 100 North Hamilton Street

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	-	-	-	-	-	-	-	7.5
	-	7	6	-	-	-	7	7
	-	7	-	7	-	-	8	7.5
	-	6	-	-	-	-	7	7
	7	6	-	-	-	-	7	-
	-	9	9	9	-	-	9	9

General Comments:

- Reusing a historic building is great. Please do roof element right. It should be fun and address architecture. Restoring prow of building and entries is exciting. No EIFS!
- Exciting – keep it lively.
- Fence treatment is important.
- Terrific! But no EIFS or fiber cement.



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
1 866 704 2315 Textnet

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

Principal Engineers
Michael R. Dailey, P.E.
Christina M. Bachmann, P.E.
John S. Fahrney, P.E.
Gregory T. Fries, P.E.

Facilities & Sustainability
Jeanne E. Hoffman, Manager
James C. Whitney, A.I.A.

Operations Manager
Kathleen M. Cryan

Hydrogeologist
Joseph L. DeMorett, P.G.

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

Financial Officer
Steven B. Danner-Rivers

DATE: October 20, 2008
TO: Plan Commission
FROM: Larry D. Nelson, P.E., City Engineer
SUBJECT: 100 North Hamilton Street Conditional Use

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.)

- 1. Provide details for proposed roof garden.

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: 100 North Hamilton Street Conditional Use

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 Submit a PDF of all floor plans to Lori Zenchenko lzenchenko@cityofmadison.com so that a preliminary interior addressing plan can be developed. 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.

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- 1.7 The site plan shall include a full and complete legal description of the site or property being subjected to this application.
- 1.8 The Developer is required to pay Impact Fees for this development. The Developer shall indicate the method of payment as provided below:
 - 1) Impact Fees shall be paid in full prior to Engineering sign-off of the plat/csm.
 - 2) The Developer has elected to defer the payments until such time as the building permits are applied for, in which case the owner(s) shall receive the invoices to pay the outstanding impact fees at the time of permit issuance. The following shall be required prior to plat sign off;
 - a) The Developer shall supply an Excel spreadsheet with lot numbers, lot areas, and number of dwelling units per lot. The Developer shall supply a CADD file of the proposed FINAL plat, in a format compatible with Microstation J. This information shall be required to calculate the Impact Fees, which will then be recorded at the Register of Deeds against each lot in the subdivision.
 - b) All information shall transmitted to Janet Dailey by e-mail at Jdailey@cityofmadison.com, or on a CD to:

Janet Dailey
City of Madison Engineering Division
210 Martin Luther King Jr. Blvd
Room 115
Madison, WI 53703
 - c) A minimum of three (3) weeks shall be required for staff to calculate the Impact Fees and record the documents prior to plat sign-off.

The Developer shall put the following note on the face of the plat:

LOTS / BUILDINGS WITHIN THIS SUBDIVISION / DEVELOPMENT ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.

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.
- 2.8 The Public Sanitary Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
 - a. The property owner reserves the right to use and occupy the Public Sanitary Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sanitary sewer facilities.
 - b. No above-ground improvements shall be located in the Public Sanitary Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public sanitary sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Sanitary Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Sanitary Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.
 - e. The Public Sanitary Sewer Easement(s) may not be amended, modified, terminated, or released without the

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written consent of all the parties hereto, or their respective successors-in-interest.

- 2.9 The Public Sidewalk Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Sidewalk Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sidewalk improvements.
 - b. No above-ground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Sidewalk Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Sidewalk Easement Area(s) without the prior written approval of the City's Engineering Division.
 - e. The Public Sidewalk Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.10 The Public Storm Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Storm Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public storm sewer facilities.
 - b. No above-ground improvements shall be located in the Public Storm Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public storm sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Storm Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Storm Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.
The Public Storm Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.11 The Public Water Main Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Water Main Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public water main facilities.
 - b. No above-ground improvements will be allowed in the Public Water Main Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Water Main Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Water Main Easement Area(s) without the prior written approval of the City's Engineering Division.
 - e. The Public Water Main Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

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

- 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 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.
- 3.18. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl, of the City Parks Department - dkahl@cityofmadison.com or 266-4816.

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) off of new paved surfaces
 - Control 80% TSS (5 micron particle) off of new paved surfaces
 - Provide infiltration in accordance with Chapter 37 of the Madison General Ordinances
 - Provide substantial thermal control.
 - Provide oil & grease control from the first 1/2" of runoff from parking areas.
 - 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.

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, 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 names

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred lzenchenko@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.

- 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 dedicate 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.

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- 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.
- 4.16 The area adjacent to this proposed development has a known flooding risk. All entrances shall be 2-feet above the adjacent sidewalk elevation or 1-foot above the 100-year regional flood elevation (whichever is greater). This includes garage entrances.

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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 5.2 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>.
- 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 6.2 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.
- 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, invert elevation, and alignment of the proposed service.



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

October 23, 2008

TO: Plan Commission

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

SUBJECT: **100 North Hamilton Street – Conditional Use – Major Alteration Madison Children Museum**

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 applicant shall work with the City to resolve the proposed "Bus Loading Area," use of the metered area. The applicant will need to pay a daily meter-hooding fee if meters are to be put out of service for bus loading. This fee is set by the Transit and Parking Commission and is currently \$13 for a full day or \$7 for a half day. The applicant shall contact Juan Villarreal, Parking Utility, at 267-8756 to secure meter bags to be used for bus loading and unloading in the metered area. Other Parking Utility customers including the University of Wisconsin and Overture are following the same policy when using metered spaces.

PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

2. If the applicant proposes bike racks in the City of Madison right-of-way is separate approval. The applicant will need to contact for approval Arthur Ross, Traffic Engineering, at 266-4474 for all proposed bike parking in the City right-of-way.

GENERAL OR STANDARD REVIEW COMMENTS

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

3. 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), 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'.

4. This land use would require semi truck service. The applicant will need to demonstrate the semi truck operation for ingress/egress and loading area on the site plan.
5. "Stop" and "No Right Turns" signs shall be installed at a height of seven (7) feet to the bottom of the first sign at the driveway approaches to North Pinckney Street and East Dayton Street. In addition, a "Stop" sign shall be installed at a height of seven (7) feet at the North Hamilton Street 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.
6. The applicant shall show the dimensions for existing parking stalls' surface and underground 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. Aisles, ramps, columns, offices or work areas are to be excluded from these rectangular areas, when designing underground parking areas.
7. If the applicant needs to use small car parking on site it shall be per ordinance. The small car stalls shall not exceed 25% of the total number of Medium and Large Vehicles and Small Vehicles stalls for the facility. The site plan shall show small car parking spaces identified and properly controlled with a sign "Small Cars Only" per each space, when plans are submitted for approval.
8. 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.
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:

Fax:

Email:

DCD: DJM: dm

**CITY OF MADISON
MADISON WATER UTILITY
119 East Olin Avenue
266-4651**

MEMORANDUM

Date: October 7, 2008

To: The Plan Commission
From: Dennis M. Cawley, Engineer 4 - Water Utility
Subject: CONDITIONAL USE – 100 North Hamilton Street

The Madison Water Utility has reviewed this conditional use and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS

None

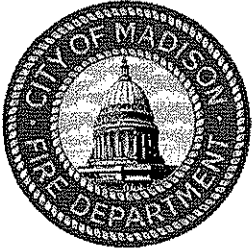
GENERAL OR STANDARD REVIEW COMMENTS

This property is in a Wellhead Protection District and this use is permitted in the district.

All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

The Water Utility will not need to sign off the final plans, and not need a copy of the approved plans.

Dennis M. Cawley



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: October 27, 2008
TO: Plan Commission
FROM: Edwin J. Ruckriegel, Fire Marshal
SUBJECT: **100 N. Hamilton St.**

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. None

GENERAL OR STANDARD REVIEW COMMENTS

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

2. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows:
 - 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 completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.

Please contact Scott Strassburg, New Construction Inspector at 608-261-9843 if you have questions regarding the above items.

cc: Bill Sullivan