



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

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September 22, 2011

Randy Bruce
Knothe & Bruce Architects
7601 University Avenue Suite 201
Middleton, WI 53562

RE: Approval of a PUD Zoning Map Amendment and Demolition Permit Appeal for **1001 University Avenue** to allow the partial demolition and onsite relocation of a portion of an existing church/student center and the construction of an 80-unit apartment building

Dear Mr. Bruce:

At its September 20, 2011 meeting, the Common Council approved your client's application to rezone 1001 University Avenue from R6 (General Residence District) to PUD-GDP-SIP (Planned Unit Development-General Development Plan-Specific Implementation Plan District). At that same meeting, the Common Council also approved your client's appeal to the July 11, 2011 decision of the City Plan Commission to deny a demolition and removal permit. These approvals allow the partial demolition and onsite relocation of a portion of an existing church/student center and the construction of an 80-unit apartment building. The following conditions of approval shall be satisfied prior to final approval and recording of the Specific Implementation Plan.

Please contact Janet Dailey, City Engineering Division, at 261-9688 if you have questions regarding the following eighteen (18) items:

1. The St. Francis House will retain the address of 1001 University Avenue. The new apartments will have a base address of 350 N. Brooks Street.
2. The Certified Survey Map shall be approved and recorded prior to issuance of occupancy.
3. The proposed plan calls for a storm discharge to the surface mid site along a sidewalk. Additional information shall be provided on how this shall be accomplished and how it shall be made safe during ice melt conditions.
4. Proposed sanitary lateral to serve St. Francis House requires a private easement across 1001 University Avenue.
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 approval of this Conditional Use or PUD 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.
7. 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.
8. 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.
9. All work in the public right-of-way shall be performed by a City licensed contractor.
10. All damage to the pavement on Brooks Street and Conklin Place, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm>
11. 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.
12. 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.
13. 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.
14. 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, and all other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions [preferred addressing@cityofmadison.com](mailto:preferred_addressing@cityofmadison.com). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file.

15. The applicant shall submit, prior to plan sign-off, digital PDF files to the City 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).

16. 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>.
17. 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.
18. 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 Division, at 267-8755 if you have questions regarding the following twelve (12) items.

19. The applicant is proposing moped parking spaces along the public sidewalk on N. Brooks Street and Conklin Place. The applicant shall create a moped corral 2 ft by 6 ft for moped parking and 4 to 6 ft drive aisle with a 4 ft wall to separate the public sidewalk and moped corral (Like the UW's Moped Carrols across the street.) Moped standard parking spaces recommend 4 ft in width and 6 ft in length with a 6 ft access aisle. The applicant shall submit detail scaled drawings for moped parking and access with plans submitted for approval.
20. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be review by Traffic Engineer to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds four stories prior to sign-off to be reviewed and approved by Keith Lippert, (266-4767) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
21. The applicant shall submit with the parking lot plans a letter of operation of the garage door to the underground parking area, and modify the ingress/egress showing a detail drawing of the area showing queuing of at least one vehicle of 20 ft. from the behind the property line to the garage door that will not be blocking the public sidewalk to the lake access.
22. A condition of approval shall be that no residential parking permits shall be issued for 1001 University Avenue, this would be consistent with other projects in the area. In addition, the applicant shall inform all tenants of this facility of the requirement in their apartment leases and record in zoning text. The applicant shall note in the Zoning Text that no residential parking permits shall be issued. In addition, the applicant should submit for 1001 University Avenue a copy of the lease noting the above condition in the lease when submitting plans for City approval.
23. The applicant will need to demonstrate how the truck will ingress/egress the truck loading area on Conklin Place.

24. When the applicant submits final plans of one contiguous plan for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, 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'.
25. 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.
26. The driveway from the parking area behind the building to the street right-of-way for two-way operation shall be a minimum eighteen (18) ft in width according to M.G.O. 10.08(6)(a)4. The applicant shall show the dimensions of ramps and drive aisles that is greater item "E" or 18 ft for two-way traffic.
27. Overhead Mirrors, and "Stop" sign shall be installed at the driveway approach to North Brooks Street. All signs at the approaches shall be installed on site or behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
28. The intersection shall be so designed so as not to violate the City's sight triangle preservation requirement which states that on a corner lot no structure, screening, or embankment of any kind shall be erected, placed, maintained or grown between the heights of 30 inches and 10 feet above the curb level or its equivalent within the triangle space formed by the two intersecting street lines or their projections and a line joining points on such street lines located a minimum of 25 feet from the street intersection in order to provide adequate vehicular vision clearance. The applicant may need to modify the wall to be in accordance to M.G.O.
29. 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.
30. 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 Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following eleven (11) items.

31. Meet all applicable State accessible requirements, including but not limited to:
 - a. Provide the minimum number of 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 for both interior and surface parking areas.
 - 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.
32. The zoning text needs to be clarified in regard to signage. Signage shall be amended to include "Signage will be allowed as provided by MGO 31, including all provisions of MGO31, and further as regulated for the R6 district, with signage as approved by the Urban Design Commission and Zoning Administrator."
33. Modify zoning text to allow religious institution as a permitted land use, along with accessory uses.

34. PUD zoning text indicates Useable Open Space is "as shown on plans" where plans do not call out said open space. Please identify useable open space areas in final plans.
35. Exterior lighting is required and shall be in accordance with City of Madison General Ordinances Section 10.085.
36. Provide a reuse/recycling plan, to be reviewed and approved by The City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permit being issued.
37. Sec 28.12(12)(e) of the Madison Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
38. Combine the lots to legally make two lots via a Certified Survey Map. A property line cannot go through a building without a fire wall down the property/lot line pursuant to Section 705.1.1 of the International Building Code.
39. Meet applicable State building and State setback requirements. Contact Mike VanErem at 266-4559 in the building permit review division regarding these requirements for the existing church being moved onto the proposed Lot 1.
40. Provide a minimum of 90 bicycle parking spaces on site for the residential units. Wall-hung bicycle racks do not meet minimum zoning requirements for bicycle parking facilities, and therefore cannot be counted toward meeting bicycle parking requirement unless as approved with the PUD.
41. 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 areas on the site.

Please contact Bill Sullivan, Madison Fire Department, at 261-9658 to if you have questions regarding the following two (2) items:

42. Sheet A-1.2 implies that the building crosses the property line.
43. Building shall comply with all building and fire code requirements including high-rise requirements with an occupied floor 75 feet above the lowest level of fire access lane.

Please contact Kat Rutledge, Madison Parks Division, at 266-4714 if you have questions regarding the following five (5) items:

44. The developer shall pay \$173,426.40 in park dedication and development fees for the new 80-unit apartment building.
45. The developer must select a method for payment of park fees before signoff on the PUD-GDP-SIP.
46. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.
47. The developer is encouraged to reduce the footprint of the building to preserve some open areas on the property for the use of the students occupying this building.
48. This development is within the Vilas-Brittingham park impact fee district (SI27).

Please contact Dennis Cawley, Madison Water Utility, at 261-9632 to if you have questions regarding the following item:

49. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. This property is not in a Wellhead Protection District. The Water Utility will not need to sign off on the final plans, and not need a copy of the approved plans.

Please contact my office at 267-1150 if you have questions regarding the following six (6) items. Please note that condition 55 was added by the Common Council as part of their September 20, 2011 approval.

50. That the site and floor plans be made consistent with the letter of intent and previously submitted zoning text to eliminate any discrepancies between the original and updated submittal. This shall be submitted for staff approval.

51. That the applicant provides proof of financing which provides assurances that the project will be completed once started, in a form acceptable to the Director of the Department of Planning and Community and Economic Development prior to the sign-off and recording of the PUD and any permits being issued. This information shall include a letter of commitment from a bank or other lending institution and a letter from a construction company indicating their intent to proceed with the project.

52. That the permitted uses in the zoning text be revised, for staff approval, to reflect the continued use of the St. Francis House as a religious institution.

53. That the applicant provides additional on-site bike parking along North Brook Street for approval by Traffic Engineering, Zoning, and the Planning Division.

54. That all balconies be clearly labeled on plans and that useable open space calculations are provided for approval by Zoning and the Planning Division.

55. That if the Traffic Engineer and Zoning Administrator determine that the project needs additional moped parking, they shall have the ability to require the conversion of automobile parking to provide additional moped parking. This provision shall be included in the zoning text.

The applicant is also required to satisfy the conditions of approval of the Urban Design Commission prior to the final staff approval of the project and the issuance of building permits. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions.

No interior, exterior or structural demolition or wrecking activities or remodeling activities (including material reclamation activities by the applicant or a third party) shall commence nor any wrecking or building permits be issued until the applicant has met all of the conditions of approval stated in this letter.

Please now follow the procedures listed below:

After the plans have been changed as per the above conditions, please file **eleven (11) 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: Janet Dailey, City Engineering Division
John Leach, Traffic Engineering Division
Bill Sullivan, Madison Fire Department
Pat Anderson, Asst. Zoning
Kay Rutledge, Parks

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