



Department of Planning & Community & Economic Development

Planning Division

Katherine Cornwell, Director

Madison Municipal Building, Suite LL-100

215 Martin Luther King, Jr. Boulevard

P.O. Box 2985

Madison, Wisconsin 53701-2985

Phone: (608) 266-4635

Fax (608) 267-8739

www.cityofmadison.com

June 21, 2016

James Moravec
Potter Lawson, Inc.
749 University Row, Suite 300
Madison, Wisconsin 53705

RE: Approval of a conditional use to allow construction of an office building exceeding 68 feet in height in SE (Suburban Employment District) zoning at 2921 Landmark Place (MIG Commercial Real Estate) [LNDUSE-2016-000046]

Dear Mr. Moravec;

At its June 13, 2016, the Plan Commission found the standards met and **approved** your conditional use request for 2921 Landmark Place. The conditions of approval in the following sections shall be satisfied prior to issuance of demolition or building permits for the project.

Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following twenty-two (22) items:

1. The applicant shall provide a path to the City sanitary sewer manhole where the proposed development is being connected to on the northeast corner of the property.
2. The storm treatment facilities in both the northeast and southeast corners of the site appear to discharge onto private property. The applicant shall provide documentation of an easement allowing this discharge or shall revise the drainage plan so all water discharges to the public right of way.
3. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
4. All outstanding City of Madison sanitary sewer connection charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. This property is subject to Sanitary Connection charges for the Arbor Hills Pumping Station District.
5. 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.

6. This project falls in the Rock River TMDL Zone and is subject to increased erosion control enforcement as authorized by Resolution 14-00043 passed by the Common Council on January 21, 2014. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the Wisconsin Department Natural Resources (WDNR).
7. The applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the City Engineering Division (Storm/Sanitary Section). The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number. The digital copies shall be drawn to scale and represent final construction including: building footprints; internal walkway areas; internal site parking areas; other miscellaneous impervious areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.); right-of-way lines (public and private); plat name and lot lines (metes & bounds parcel lines if unplatted); platted lot numbers (noted "unplatted lands" if not platted); lot/plat property dimensions; street names; private on-site sanitary sewer utilities (including all connections to public sanitary); private on-site storm sewer utilities (including all connections to public storm). The CAD file will only be required prior to final plan review so that multiple files do not need to be supplied or reviewed. Any changes or additions to the location of the building, private utilities, sidewalks, parking/pavement during construction will require a new CAD file transmittal.
8. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)) PDF submittals shall contain the following information: 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) Lot lines or parcel lines if unplatted; g) Lot numbers or the words unplatted; h) Lot/Plat dimensions; i) Street names; j) Stormwater Management Facilities; k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
9. 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.; and 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.
10. 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.
11. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of 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 5.0-tons per acre per year.

12. This site appears to disturb over 1 acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement.
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: control 80% TSS off of the proposed development when compared with the existing site; detain the 2-, 10-, and 100-year storm events, matching post development rates to predevelopment rates, and; provide infiltration in accordance with Chapter 37 of Madison General Ordinances.
14. 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 Madison General Ordinances.
15. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
16. Provide detail of the proposed storm basin in the northeast corner, in relation to the existing sanitary sewer. The City Engineer shall review for conflict or adequate cover over existing sanitary. If this development causes the sanitary structure to be adjusted, the developer shall obtain a permit to perform said adjustment.
17. The construction of this project will require the applicant shall enter into a City/ Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering 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. Note: Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum.
18. The approval of this project 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.
19. The applicant shall replace all sidewalk and curb and gutter that abuts the property that 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.
20. All work in the public right of way shall be performed by a City-licensed contractor.
21. All damage to the pavement on Landmark Pl, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria.

22. The applicant shall make improvements to Landmark Place. The improvements shall consist of extending the sidewalk on the east side of Landmark Place through the new driveway and installing new cul-de-sac street.

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have any questions regarding the following seven (7) items:

23. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in the parcel database so that the permitting system can upload this data and permit issuance made available for this new land record.
24. The storm treatment facilities in the northeast and southeast corners site discharge storm water onto the adjacent multi-family site. The applicant shall provide a recorded easement / agreement acknowledging and accepting the discharge of stormwater from this proposed development.
25. The portion of the proposed cul-de-sac over the parcel to the north (2909 Landmark Place) shall be dedicated and a temporary sloping and grading easement provided prior to the recording of the pending Certified Survey Map. Coordinate and provide map exhibits, legal descriptions and administrative fees with Jeff Quamme (jrquamme@cityofmadison.com or 266-4097).
26. A temporary grading easement shall be provided to the City of Madison over the parcel west of Landmark Place (2801 Coventry Trail, Town of Madison) prior to recording the pending Certified Survey Map. Coordinate and provide map exhibits, legal descriptions and administrative fees with Jeff Quamme (contact information above).
27. After the completion of construction of the proposed public improvements for the Landmark Place cul-de-sac, the required conveyance of lands for public right of way from the parcel (2801 Coventry Trail, Town of Madison) west of Landmark Place shall be completed. Coordinate and provide map exhibits, legal descriptions and administrative fees with Jeff Quamme.
28. A small portion of the entrance drive crosses the adjacent property to the north. A recorded copy of the agreement/ easement permitting this condition (or movement of facilities) shall be provided prior to final signoff for the site.
29. All interior suite numbering will need to be approved or assigned. Submit a PDF of all floor plans to lzenchenko@cityofmadison.com so that a preliminary interior addressing plan can be developed prior to final plans being submitted for permit review. 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. If tenant configurations are not known at this time, please submit the floor plan as is for future reference.

Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following nine (9) items:

30. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering 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 Dave Nachreiner, (266-4899) 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.

31. Underground parking is insufficiently labeled/ dimensioned for a proper review. If the parking does not meet MGO Section 10.08, the applicant can expect to be required to make major alterations, which may or may not impact structural elements of this site.
32. The location of the stormwater retention pond located on the northwest corner of this site inhibits the future potential to connect this site to the public right-of-way to the west. As this site will be adding traffic volume to an already congested intersection at W. Beltline Highway frontage road and Landmark Place, the applicant shall work with Traffic Engineering and City Engineering to relocate the stormwater retention pond.
33. The applicant shall prepare a TDM to be reviewed and approved by the City Traffic Engineer per MGO Section 28.183(6)(a)(6).
34. It is recommended the applicant look to add additional bicycle parking near the entrance.
35. The applicant shall submit one contiguous plan for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
36. The developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City-owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
37. The City Traffic Engineer may require public signing and marking related to the development; the developer shall be financially responsible for such signing and marking.
38. All parking facility design shall conform to the standards in MGO Section 10.08(6).

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

39. Provide fire apparatus access as required by IFC 503 2015 edition, MGO Section 34.503, as follows:
 - a.) The site plans shall clearly identify the location of all fire lanes.
 - b.) MGO 34.503/IFC 503 Appendix D105, Provide an aerial apparatus access fire lane that is at least 26 feet wide, if any part of the building is over 30 feet in height. The near edge of the aerial fire

lane shall be within 30 feet and not closer than 15 feet from the structure, and parallel to one entire side. The aerial fire lane shall cover not less than 25% of the building perimeter.

- c.) Provide a fire lane that extends to within 250 feet of all exterior portions of the structure since the building has a fire sprinkler system.
- d.) Aerial fire lanes shall be free from overhead obstructions. Obstructions shall not be located between the building and an aerial fire lane. Alternative measures to allow obstructions may include specific tree selection and placement; increased fire protection systems; and/or increased building fire resistance. Alternatives must be approved by MFD prior to site plan approval.
- e.) Provide a minimum unobstructed width of 26-feet for at least 20-feet on each side of the fire hydrant.
- f.) Fire lanes shall be constructed of concrete or asphalt only, and designed to support a minimum load of 85,000 lbs.
- g.) Where there is a change in the direction of a fire lane, the minimum inside turning radius shall be at least 28 feet.

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following item:

- 40. All operating private wells shall be identified and permitted by the Madison Water Utility and all unused private wells shall be abandoned in accordance with MGO 13.21.

Please contact Jenny Kirchgatter, Assistant Zoning Administrator at 266-6527 if you have any questions regarding the following ten (10) items:

- 41. Screening is required adjacent the Zoning district boundary along the south, east, and west property lines. Screening shall be provided along side and rear property boundaries between commercial/mixed-use districts and residential districts. Screening shall consist of a solid wall, solid fence, or hedge with year-round foliage, between 6 and 8 feet in height. Height of screening shall be measured from natural or approved grade. Berms and retaining walls shall not be used to increase grade relative to screening height. **For conditional uses, the Plan Commission may modify these requirements.**
- 42. The Zoning Board of Appeals granted a variance request at its May 26, 2016 meeting for Zoning Code Sections 28.085(4)(b) and 28.085(4)(c) for building orientation toward the primary street and the location of the majority of parking to the side or rear of the building.
- 43. Bicycle parking for the proposed office building shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11). Provide a minimum of 52 short-term bicycle parking stalls located in a convenient and visible area on a paved or impervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within 100 feet of a principal entrance. Shift the northwest group of bike stalls to be located within 100 feet of a principal entrance. Provide a detail of the proposed bike rack. NOTE: A bike-parking stall is 2 feet by 6 feet with a 5-foot access area.

44. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than 10,000 square feet in size must be prepared by a registered landscape architect.
45. Submit a detail of the trash enclosure. The trash enclosure shall be screened on four sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of 6 feet and not greater than 8 feet.
46. Submit a rooftop plan showing the location of any proposed rooftop mechanical equipment and screening. All rooftop and ground level mechanical equipment and utilities shall be fully screened from view from any street or residential district per Section 28.142(9)(d).
47. Provide screening for the proposed generator and transformer. The generator shall be located and screened to reduce its visual impact when viewed from neighboring property and to be compatible with neighboring structures and the character of the community. Screening materials, landscaping, or fencing shall be similar in appearance to those used for the principal structure on the zoning lot.
48. Future project phases, including the Phase 2 parking, shall require separate approvals.
49. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
50. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Please contact my office at 261-9632 if you have any questions about the following five (5) items:

51. The final building elevations shall be revised to include a height measurement to the top of the mechanical penthouse for future reference.

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

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

1. After the plans have been revised per the above conditions, please file **seven (7) sets** of complete, fully dimensioned, and to-scale plans, the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. **This submittal shall all also include one (1) complete digital plan set in PDF format.** The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval.

2. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature box on last page]

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. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the Plan Commission and the conditional use standards. This approval shall become null and void one (1) 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 6 months of the issuance of said building permit. Where the plans have not been altered from the Plan Commission's approval, and the conditional use has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to 24 months from the expiration date. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

If you have any questions regarding obtaining your 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 261-9632.

Sincerely,

Timothy M. Parks
 Planner

cc: Tim Troester, City Engineering Division
 Jeff Quamme, City Engineering Division
 Eric Halvorson, Traffic Engineering Division
 Jenny Kirchgatter, Asst. Zoning Administrator
 Dennis Cawley, Madison Water Utility
 Bill Sullivan, Madison Fire Department

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

Signature of Applicant

*Signature of Property Owner
 (If Not Applicant)*

Accela ID: LNDUSE-2016-00046			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: