

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
Of September 10, 2008**

RE: ID # 11925, Demolition Permit – 237 Langdon Street

1. Requested Actions: Approval of a demolition permit to allow the demolition of a fire-damaged fraternity house at 237 Langdon Street.
2. Applicable Regulations: Section 28.12 (12) provides the guidelines and regulations for the approval of demolition permits.
3. Report Prepared By: Timothy M. Parks, Planner.

GENERAL INFORMATION

1. Applicant: Thomas S. Hurlbutt, Executive Outcomes, LLC; 102 N. Main Street; Fortville, Indiana.

Property Owner: Wisconsin Beta Chapter of Sigma Phi Epsilon Fraternity; 237 Langdon Street; Madison.
2. Development Schedule: The applicant wishes to commence demolition as soon as all regulatory approvals have been granted. There are no plans for redevelopment of the site at this time.
3. Location: The structure to be demolished occupies a 7,656 square-foot (0.18-acre) parcel at 237 Langdon Street, approximately midway between N. Frances and N. Henry streets; Aldermanic District 8; Madison Metropolitan School District.
4. Existing Conditions: The subject site is developed with the Sigma Phi Epsilon Fraternity house, which was damaged by a May 12, 2008 fire. The site is zoned R6 (General Residence District) and is located in Downtown Design Zone 4.
5. Proposed Land Use: The existing fire-damaged structure will be demolished. Plans for the reuse of the site are not available at this time.
6. Surrounding Land Use and Zoning: The subject site is generally surrounded to the north, west and east by a variety of student-oriented residences and other fraternity and sorority houses in R6 (General Residence District) zoning. The property is bordered on the south by the Samba Brazilian Grill restaurant and other businesses at the corner of W. Gilman and State streets in C2 (General Commercial District) and C4 (Central Commercial District) zoning.

7. Adopted Land Use Plan: The Comprehensive Plan the subject site and surrounding area as part of the "Langdon" downtown residential sub-district, which emphasizes high-density, multi-family residential development generally between 16-60 units an acre in 2-8 story buildings. Historic preservation and small-scale neighborhood serving commercial uses are also encouraged.
8. Environmental Corridor Status: The site is not located within 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 demolition standards of Section 28.12 (12).

ANALYSIS, EVALUATION & CONCLUSION

The Wisconsin Beta Chapter of Sigma Phi Epsilon Fraternity is requesting approval to demolish their fire-damaged fraternity house located at 237 Langdon Street, on the south side of Langdon between N. Frances and N. Henry streets. The three-story, 8,000 square-foot lodging house, constructed circa 1890, was significantly damaged by a two-alarm fire on May 12, 2008 (see attached Madison Fire Department press release). At the time of the fire, the applicant indicates that the building was home to 28 fraternity members and served as the fraternity's meeting place. The fire caused substantial damage to the structure, including the collapse of the roof and structural instability to various walls. The applicant also indicates that the building's mechanical, plumbing and electrical systems were severely damaged. Photos of the fire-damaged building were provided and appear to substantiate many of the structural issues enumerated in the letter of intent.

The applicant has not provided a proposed use for the property following demolition, though the letter of intent notes that the fraternity intends to rebuild the fraternity house on the site at some time in the future. The fraternity believes that the fire-damaged building presents a public hazard and that it should be demolished in advance of plans for the new building to abate the hazard. The demolition standards were recently amended and now include a provision whereby the Plan Commission can grant approval of a demolition approval without information on the proposed use of the site if, based on evidence from the Madison Fire Department, Police Department, and/or Neighborhood Preservation and Inspection Division, a potential fire hazard, potential unlawful use of the property, potential public nuisance, or other public health and safety concern supports demolition or removal before a future use is proposed. George Hank, Director of the Neighborhood Preservation and Inspection Division, and Captain Mary Schauf of the Central

District have submitted correspondence supporting demolition of the existing building as quickly as possible.

The Planning Division generally believes that the standards for approval of demolition permits can be met with this application despite the current absence of plans showing how the site will be redeveloped in the future. The building has been determined to be unsound and a hazard to the community and it is unlikely that the structure could be feasibly rebuilt given the apparent extent of the fire damage. Staff, however, recommends that a restrictive covenant be recorded on the property prior to issuance of a building permit for the demolition, which requires that any new construction on the property come before the Plan Commission for approval. Staff believes that such a restriction would provide the Commission with an opportunity to review any new construction on the site for consistency with the Comprehensive Plan and for any impacts on the normal and orderly development of surrounding properties, which include a number of student-oriented residential buildings and fraternity and sorority houses in R6 residential zoning along Langdon Street. Staff feels the restrictive covenant is necessary because fraternity and sorority houses are considered lodging houses, which are *permitted* uses in R6 zoning and therefore require no review or approval by the Plan Commission.

[Note: New construction on the site may also require Landmarks Commission review due to the subject site's adjacency to the local landmark Woman's Building at 240 W. Gilman Street.]

Finally, the demolition standards require that the Commission consider the report of the City's preservation planner, Kitty Rankin, regarding the historic value of the property. Ms. Rankin indicated to staff that the Sigma Phi Epsilon house was a contributing structure in the Langdon Street National Register District and that the most historic part of the building was on the third and fourth floors, which were the portions of the building most damaged by the fire. As per State law, she notified the Wisconsin Historical Society, who has signed off on the demolition.

RECOMMENDATION

The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** demolition of a fire-damaged fraternity house at 237 Langdon Street subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That following demolition, the subject site be graded and seeded with grass, all drive openings closed or removed, the site secured and that no parking occur on the site at any time.

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3. That the property owner execute a restrictive covenant prior to issuance of the demolition permit, which requires Plan Commission approval of the proposed alternative use of the property prior to issuance of building permits for any new construction. The standards for approval of the proposed alternative use shall be those in contained in Section 28.12 (12) of the Zoning Ordinance. The form of the restrictive covenant shall be approved by the Planning Division and City Attorney's Office.

DATE: September 9, 2008
TO: Plan Commission
FROM: K. H. Rankin, Preservation Planner
RE: 237 Langdon Street

This building was built as a Queen Anne style, two-story, frame, single-family residence in 1891 for Professor Joseph Jastrow and his wife, Rachel. In 1909 the Jastrows rebuilt the house to add the upper two stories to serve as their own residence. After they moved upstairs, they rented out the rooms on the lower two stories to students. The building is a contributing element in the Langdon Street National Register historic district.

Before the fire, this house was one of the most historically significant buildings in Madison. Professor Jastrow was a pioneer in the field of psychology. He was the first professor of psychology at the University of Wisconsin. He was also "psychology's first media star." He traveled the lecture circuit giving hugely popular self-help mental health talks. In 1927 he moved to New York and had the first radio show on popular psychology and a daily news column, syndicated in 150 newspaper across the United States. Rachel Jastrow was active nationally in Jewish woman's affairs. The local chapter of Hadassah is named after her.

The Jastrows considered their home to be a "palace of culture." Its upper two floors were filled with art and antiques and their home was so lavish that the Jastrows went bankrupt funding its construction and décor. Trying to salvage their finances was the major impetus for Prof. Jastrow's lecture circuit career. The house was so beautifully decorated that it was featured in *House Beautiful* magazine, the only house in Madison that I know of that earned that honor. The top two floors featured beautiful and intricately detailed woodwork, including an upper study decorated with pearl inlaid carved screens imported from the Middle East. Although the building had been renovated twice in the last couple of decades most of the interior woodwork, leaded glass and Turkish screens in the upper two floors remained.

The most recent fire tragically destroyed the upper two floors of the house, leaving it a mere shell of its former excellence. The building has been destroyed to the point that it would make no sense to try to bring it back.

The building is adjacent to the Woman's Building, which is a designated Landmark. If plans for a new building on the site require review by any city commissions or boards, the Landmarks Commission will be asked to advise the others boards and commission on whether or not it is so large or visually intrusive as to detract from the historic character of the Woman's Building.




Department of Planning and Community & Economic Development
Neighborhood Preservation & Inspection Division

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2984
Madison, Wisconsin 53701-2984
TTY/TEXTNET 866 704 2318
FAX 608 266 6377
PH 608 266 4551

DATE: August 15, 2008

TO: Plan Commission

FROM: George C. Hank, Director 
Neighborhood Preservation & Inspection Division

SUBJECT: 237 Langdon Street - Sigma Phi Epsilon Fraternity Fire Damage

On the early morning of May 13, 2008, fire destroyed the Sigma Phi Epsilon Fraternity located at 237 Langdon Street. The fire started at the rear first floor of the building and burned up through the third floor. The rear third of the first and second floors were destroyed, as well as the entire third floor and roofing system. The remainder of the building was heavily damaged by smoke, water and heat. The building is open to the elements and provides harborage for rodents and other animals.

While the building is secured at the perimeter by a fence, the fence will only prevent people who generally obey the law from entering the building. In its current condition, the building constitutes a public nuisance and should be removed as soon as possible. The return of the nearby college students and the building's proximity to State Street only make this matter more urgent. I am writing to urge support for the issuance of the Demolition Permit.

cc: Alan Davis
102 North Main St.
Fortville, IN 46040

Parks, Timothy

To: Schauf, Mary

Subject: RE: 237 Langdon Street - Beta Sigma Phi Epsilon

From: Schauf, Mary

Sent: Friday, August 15, 2008 1:21 PM

To: Parks, Timothy

Subject: RE: 237 Langdon Street - Beta Sigma Phi Epsilon

Tim,

Based on the condition of the building and need for fencing of the site I believe these conditions do exist. We have already arrested one person who was going through the site looting for anything of potential value. Removal of the structural elements would be of value to the community.

Mary A. Schauf, Captain of Police
City of Madison, Central District

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9/2/2008



City of Madison Fire Department

News Release

Date: May 13, 2008

Released By: Bernadette Galvez – Public Information Officer
(608) 261-9844 or (608) 279-7168

Fraternity House Destroyed by Fire

A City of Madison Police Officer was on patrol when she noticed flames from the back of 237 Langdon Street, the Sigma Phi Epsilon Fraternity House. She went to investigate, and found the back of the house on fire. She then evacuated the residence and informed 911 Communications Center of the fire. Everyone escaped without injury.

City of Madison Fire Crews were dispatched to the Sig Ep House around 11:41 pm. Engine 1, Engine 4, Ladder 1, Ladder 6, Car 31, Engine 3-RIT (Rapid Intervention Team), Rescue 1, Investigator 86 and PIO 79 were originally called to the structure fire.

Fire crews conducted a primary and secondary search, to ensure that everyone evacuated the house. Crews battled the fire, which was shooting 20 feet into the air. A second alarm was called at 11:54 pm, which dispatched more fire vehicles; Engine 7, Ladder 8, Rescue 6, Engine 9, Fire 8, Fire 10, Fire 1, Fire 4, Fire 78, Rescue 9 and Squad 3. A total of 14 fire vehicles and 48 personnel were on the scene.

The fire extended throughout the building and there was a threat of a building collapse, so the alert tones sounded to warn the firefighters who were fighting the fire inside to immediately evacuate the building. Once everyone evacuated, they attacked the fire defensively. Ladder 1 raised their aerial in order to use the master stream, which puts out 1000 gallons per minute. Several handlines were also used to surround the structure to extinguish the blaze.

25 occupants were all accounted for. The fire was extinguished at 2:28 am.

Three firefighters were injured during the fire. Two were transported to UW Hospital and one to Meriter Hospital. The injuries consists of a minor burn, dehydration and a muscle strain.

Estimated fire damage is \$750,000. Firefighters were putting out spot fires, which were found inside the structure and under the roof line.

The fire is under investigation.

Red Cross was called to the scene to help residents in need. Madison Metro also helped keep residents warm. Dean of Students Lori Berquam was also on the scene to assist the students.



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: September 5, 2008
TO: Plan Commission
FROM: Larry D. Nelson, P.E., City Engineer
SUBJECT: 237 Langdon Street Demolition

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. City Engineering does not have good information regarding the sanitary sewer lateral serving this site. It shall be the owner's responsibility to locate said lateral for purpose of plugging for proposed demolition.

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: 237 Langdon Street Demolition

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 izenchenko@cityofmadison.com so that a preliminary interior

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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.

- 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

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- c. 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 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>.

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- 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.

- 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.

**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: September 15, 2008

To: Plan Commission
From: Patrick Anderson, Zoning Administrator
Subject: 237 Langdon Street

Present Zoning District: R-6

Proposed Use: Demolish fraternity house & provide undeveloped/green area.
Conditional Use: 28.04(22) Demolition of principal buildings requires Plan Commission approval.

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).

GENERAL OR STANDARD REVIEW COMMENTS

1. 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.
2. Provide a detailed post-demolition site plan. All improvements must be removed and physical barriers must be established to prevent parking or other use of the property.
3. No land use is currently proposed for the site. Any future use of the site must comply with the R-6 District standards.
4. This property is adjacent to a Landmark site (Samba Grill), which will require further review at the time new development is proposed.

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	3,145 sq. ft.
Lot width	50'	
Front yard	0'	Not proposed at this time
Side yards	0'	Not proposed at this time
Rear yard	0'	Not proposed at this time
Floor Area Ratio	2.0	Not proposed at this time

Other Critical Zoning Items		
Reuse/recycling plan	Yes	(1)
Historic/Landmark	Adjacent to Landmark	(4)

With the above conditions, the proposed project **does** comply with all of the above requirements.



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: 9/5/08
TO: Plan Commission
FROM: Edwin J. Ruckriegel, Fire Marshal
SUBJECT: **237 Langdon 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. No comments on demolition.

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

cc: Bill Sullivan