



Department of Planning & Community & Economic Development

## Planning Division

Katherine Cornwell, Director

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February 24, 2015

J. Randy Bruce  
Knothe & Bruce Architects  
7601 University Ave., Ste. 201  
Middleton, WI 53562

RE: Approval of the demolition of a one-story commercial building and a conditional use for construction of a three-story 27-unit residential building over 10,000 square feet in size and over 40 feet in height in the Traditional Shopping Street (TSS) District.

Dear Mr. Bruce:

At its February 23, 2015 meeting, the Plan Commission found the standards met and **approved** your request for a demolition and conditional use at 2583 University Avenue, subject to the conditions below. In order to receive final approval of the demolition and conditional use, and for any necessary permits to be issued for your project, the following conditions shall be met:

**Please contact my office at 266-5974 if you have questions regarding the following 6 items:**

1. Final elevations submitted for staff review and approval shall include a detailed materials schedule with color and specifications of each material.
2. Final landscape plans submitted for staff review and approval shall include supplementary drawings showing examples along both University Avenue and Grand Avenue with proposed plantings at their mature heights.
3. Final plans submitted for staff review and approval shall include details on the proposed fence along the southern property line, and assurances that the proposed landscaping is optimally placed inside this fence line.
4. The applicant is encouraged to explore possibilities for locating a shared car on or near the site for use by area residents.
5. Garbage pick-up may not occur prior to 7:30 AM.
6. A "No Left Turn" sign shall be posted by the applicant at the driveway exit.

*Note: Conditions 6 and 7 were added by the Plan Commission on February 23, 2015.*

**Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following 28 items:**

7. 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 GEO so that the Accela system can upload this data and permit issuance made available for this new land record.
8. Applicant shall be responsible obtain any easements/agreements from adjacent property owners that will be necessary for the construction and maintenance of the retaining walls along the southerly and easterly sides of the proposed development.
9. The address of 2583 University Ave shall be retired with the demolition of the building. The base address for the new apartments is 2585 University Ave.
10. There is an existing 6" diameter PVC sanitary sewer lateral on University Avenue constructed in 2011, that was provided to this property in approximately the same location as the new 6" lateral shown on the plans. It is suggested that the Applicant review the existing lateral to see if it can be utilized instead of constructing a new lateral in a similar location. The Applicant shall obtain the appropriate permitting from Madison Metropolitan Sewerage District (Curt Sauser at 222-1201x269) for any new lateral installation and / or connection to the existing lateral. A new lateral installation that taps the existing 18" clay sanitary sewer main on University Avenue may be problematic, however, and it may be determined that any new lateral would have to come off of Grand Avenue.
11. Detailed information demonstrating how the ramp to the underground parking structure will be drained shall be provided to the City Engineer for review and approval.
12. Per the WDNR closure letter, the property was closed with residual groundwater and soil contamination (reference BRRTS #03-13-170394) and requires a barrier cap. Written approval from WDNR is required prior to removing the existing cap. Proof of coordination with WDNR shall be submitted to Brynn Bemis at [bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com) prior to sign off. If you have questions regarding this issue please contact Brynn at 608-267-1986.
13. Show details of the proposed drainage for the property directly to the south. It appears the property to the south is presently reliant upon the subject property for drainage. Construction of the proposed retaining wall shall not be allowed to create and adverse drainage impact on the neighboring property.
14. 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 (MGO 16.23(9)c).
15. 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.
16. Submit a PDF of all floor plans to [izenchenko@cityofmadison.com](mailto:izenchenko@cityofmadison.com) so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or

after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.

17. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass (POLICY).
18. 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 (MGO 16.23(9)(d)(6)).
19. 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 (POLICY).
20. 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 (POLICY).
21. The Applicant shall provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system (POLICY).
22. All work in the public right-of-way shall be performed by a City licensed contractor (MGO 16.23(9)(c)5) and MGO 23.01).
23. All damage to the pavement on University Avenue and Grand Avenue, 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> (POLICY).
24. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in the ROCK RIVER TMDL ZONE and by Resolution 14-00043 passed by the City of Madison Common Council on 1/21/2014. You will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR.
25. 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 (POLICY AND MGO 10.29).
26. The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity (POLICY).
27. 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.

28. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, 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 (NOTIFICATION).
29. This project will require a concrete management plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office (POLICY).
30. 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.

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

31. 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 (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) Lot lines and right-of-way lines
  - e) Street names
  - f) Stormwater Management Facilities
  - g) Detail drawings associated with Stormwater Mgmt Facilities (including if applicable planting plans)
32. This project appears to require construction dewatering and/or possibly permanent dewatering and is in an area with potential groundwater contamination. The applicant shall be required obtain the approval of Public Health – Madison & Dane County for this discharge. It can be anticipated that this will required completion of a boring on site and testing of water encountered for possible contaminates. Approval shall be granted before plans are approved for building permit release.

Contact Kirsti Sorsa for more information at 608-243-0356 or [ksorsa@publichealthmdc.com](mailto:ksorsa@publichealthmdc.com)

33. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at: <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14)).
34. City of Madison Environmental Projects Staff have reviewed the subject site and determined that a Phase I ESA **will** be required of the applicant. The applicant shall provide one (1) digital and one (1) hard copy of an ASTM Phase I ESA prepared by an environmental professional. Staff review of this Phase I ESA will determine if a further investigative Phase II ESA is also required. Please submit any relevant Phase I and Phase II ESAs to Brynn Bemis (608-267-1986, [bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com)) for further review (MGO 16.23(5)(g)(2)).

**Please contact Eric Halvorson of Traffic Engineering at 266-6527 if you have any questions regarding the following 8 items:**

35. The Developer shall install Bassett District standard pedestrian lights along University Avenue frontage of the proposed development site.
36. This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, covered sidewalks will be constructed and maintained as soon as possible and little to no access to the Public Right-of-Way on University Ave will be granted for construction purposes.
37. The developer shall work with the City to resolve any construction-related issues. A detailed construction plan shall be provided showing all access and staging areas.
38. Twenty-five off-street auto parking spaces are provided for the development, which has 27 residential units. A condition of approval shall be that no residential parking permits shall be issued for 2583 University Avenue. The applicant shall inform all tenants of this restriction in their apartment leases. In addition, the applicant shall submit for 2583 University Avenue a copy of the lease noting the above condition.
39. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings 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.
40. 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.
41. 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.
42. All parking facility design shall conform to MGO standards, as set in Section 10.08(6).

**Please contact Bill Sullivan of the Fire Department at 261-9658 if you have any questions regarding the following 2 items:**

43. The Madison Fire Department does not object to this proposal provided it complies with all applicable fire codes and ordinances.
44. Please consider allowing Madison Fire Department to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Lt. Scott Bavery (608) 576-0600

**Please contact Kay Rutledge of the Parks Division at 266-4714 if you have any questions regarding the following 2 items:**

45. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development. This development is within the Vilas-Brittingham park impact fee district (SI27). Please reference ID#15108 when contacting Parks about this project.
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.

**Please contact Metro Transit at 261-4289 if you have any questions about the following 5 items:**

47. In coordination with public works improvements, the applicant shall replace the concrete passenger boarding pad at the existing Metro bus stop on the south side of University Avenue, east of Grand Avenue (#2433). The concrete pad shall occupy the full distance of the terrace, measure a minimum of 10 feet in width parallel to the street, and lie flush between the sidewalk and the top of curb. The replacement concrete pad shall be oriented to span from ten feet to twenty feet west of the new (narrowed) driveway apron.
48. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review and approve the design.
49. Metro Transit operates daily transit service along University Avenue through the Grand Avenue intersection adjacent the project site. Bus stop ID #2443 is adjacent the proposed project site, with the signed bus stop zone encompassing the area from the concrete boarding pad west to the Grand Avenue intersection.
50. Metro Transit uses this stop zone as a layover location during weekdays, meaning buses may idle at this stop location for extended periods of time before they are scheduled to depart on a new trip.
51. The applicant might consider additional transit amenities on the property adjacent this bus stop zone, such as a trash receptacle or a seating amenity, in finalizing their landscape plan.

**Please contact Dennis Cawley of the Water Utility at 266-4651 if you have any questions about the following item:**

52. This property is not in a wellhead protection district. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

**Please contact Pat Anderson of the Zoning Office at 266-5978 if you have any questions regarding the following 8 items:**

53. 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.
54. 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.

55. Sec. 28.185(9) (a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
56. Final plans shall include calculations of the percentage of window openings on the facades of the building reflecting compliance with Sec. 28.060(2)(d).
57. Pursuant to Sec. 28.142(3) Landscape Plan and Design Standards: Landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
58. Sec. 28.142(8): requires that screening along district boundaries shall be a solid wall, solid fence or hedge with year-round foliage, between six (6) and eight (8) feet in height on the south boundary. This requirement may be modified by the Plan Commission as part of the Conditional Use review. Provide detail on final plans meeting this requirement.
59. Provide a minimum of 30 bicycle parking spaces distributed as both *Short Term* and *Long Term* bicycle parking and shall be located in a safe and convenient location on an impervious surface , as required per sec. 28.141(4) and 28.141(11). Provide a detail of the bicycle rack design. Required guest stalls shall be short term. Call out and dimension required stalls on the final plans.
60. Sec. 28.141 requires one off street parking stall per dwelling unit subject to Table 28I-2. With this submittal the applicant is requesting a reduction of 2 stalls as part of this approval, which is within allowances for an administrative parking stall reduction.

**Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency. No demolition or building permits shall be issued until the applicant has met all of the conditions of approval stated in this letter.**

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

1. Please revise the plans per the above conditions and file **eleven (11)** sets of complete, fully dimensioned, and to-scale plans, along with the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code. Also provide any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval.
3. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. This approval shall become null and void one year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within six months of the issuance of said building permit.

If you have any questions regarding obtaining the demolition and conditional use approval, please contact the Zoning Administrator at 266-4551. If you have any questions or if I may be of any further assistance, please do not hesitate to contact my office at 266-5974.

Sincerely,

Heather Stouder, AICP  
Planner

<p>I hereby acknowledge that I understand and will comply with the above conditions of approval for this demolition permit and conditional use.</p>  <hr style="width: 80%; margin-left: auto; margin-right: 0;"/> <p style="text-align: right;"><i>Signature of Applicant</i></p>
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- cc: Janet Schmidt, City Engineering Division  
 Jeff Quamme, City Engineering Division  
 Pat Anderson, Asst. Zoning Administrator  
 George Dreckmann, Recycling Coordinator  
 Bill Sullivan, Fire Department  
 Eric Halvorson, Traffic Engineering  
 Kay Rutledge, Parks Division  
 Tim Sobota, Metro Transit

<b>For Official Use Only, Re: Final Plan Routing</b>			
<input checked="" type="checkbox"/>	Planning Div. (H. Stouder)	<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 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 checked="" type="checkbox"/>	Metro Transit