



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985
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November 7, 2013

Kirk Keller
Plunkett Raysich Architects LLP
2310 Crossroads Dr., Suite 2000
Madison, WI 53718

RE: Approval of a conditional use for the construction of a mixed-use building with ground floor commercial space and 80 residential units in the SE zoning district.

Dear Mr. Keller:

At its November 4, 2013 meeting, the Plan Commission found the standards met and **approved** your client's conditional use request for construction of a new mixed-use building 900 John Nolen Drive, subject to the conditions below. In order to receive final approval of the conditional use, and for any necessary permits to be issued for your project, the following conditions shall be met:

Please contact Pat Anderson of the Zoning Office at 266-5978 if you have any questions regarding the following 7 items:

1. Submitted site plan option B, drawing number C102, does not meet requirements of section 28.085(4)(b).
2. 32,000 sq. ft. of usable open space (UOS) is required for this development. A maximum of 24,000 sq. ft. of balcony or rooftop space may be counted toward this requirement, with the remaining 8,000 sq. ft. being at grade. Submitted plans do not clearly identify the required and qualifying UOS. Identify qualifying UOS on final plans.
3. Pursuant to section 28.137(2)(a), a planned multi-use site shall have a plan and reciprocal land use agreement approved by the Traffic Engineer, City Engineer, and Director of Planning and Community and Economic Development recorded in the office of the Dane County Register of Deeds.
4. Provide a minimum of 88 bike parking stalls for the residential component of the project. Bike parking shall be located in a safe and convenient location on an impervious surface subject to section 28.141(11) to b shown on the final plan. Bike parking for the commercial/retail component of the project shall comply with the requirements in Sec. 28.141(4)(g) and 28.141(11). Provide a detail of the proposed bike rack.
5. Pursuant to Sec. 28.142(3) Landscape Plan and Design Standards: Landscape plans for zoning lots greater than ten thousand (10,000) square feet must be prepared by a registered landscape architect.
6. Parking and loading shall comply with MGO Sec. 28.141(13): Provide one 10' x 35' loading area with 14' vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space.
7. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31 Sign Codes and MGO Chapter 33, Urban Design District. Signage permits are issued by the Zoning section of the Department of Planning and Community and Economic Development.
8. Parking requirements for persons with disabilities must comply with Sec. 28.141(4)(e). Final plans shall show the required accessible stalls, including van accessible stalls.

Please contact Eric Halvorson, Traffic Engineering at 266-6527 if you have questions regarding the following 4 items:

9. When the applicant submits plans for approval, the applicant shall show the following on one contiguous plan: existing items in the terrace (e.g., signs and street light poles), type of surfaces, percent of slope, existing and proposed property lines, addresses, all easements, all pavement markings, building placement, adjacent driveway approaches to lots on either side and across the street, signage, semitrailer movements and vehicle routes, dimensions of radii, aisles, driveways, parking stall dimensions including the two (2) feet overhang on a scaled drawing at 1" = 20'. Contact City Traffic Engineering if you have questions.
10. The Developer shall post a deposit and reimburse the City for all costs associated with any modification to traffic signals, street lighting, signing and pavement marking, and conduit/handholes, including labor, engineering and materials for both temporary and permanent installations.
11. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.
12. All parking facility designs shall conform to MGO standards as set in section 10.08(6).

Please contact Kay Rutledge, Parks Division, at 266-4714 if you have questions regarding the following 4 items:

13. The developer shall pay approximately \$188,272.00 for park dedication and development fees for the new 80 MF unit development (fees are subject to an annual increase – see 2013 calculation below).

New Development:

Fees in lieu of dedication = (80 MF @ \$1,708) =	\$136,640.00
<u>Park development fees = (80 MF @ \$645.40) =</u>	<u>\$51,632.00</u>
Subtotal =	\$188,272.00

14. The developer must select a method for payment of park fees before signoff on the conditional use.
15. This development is within the Olin-Turville park impact fee district (SI28). Please reference ID# 13154 when contacting Parks about this project.
16. 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 Dennis Cawley of the Water Utility at 266-4651 if you have questions regarding the following item:

17. The 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 Bill Sullivan of the Fire Department at 261-9658 if you have questions regarding the following 2 items:

18. A sprinkler system in accordance with NFPA 13, 2013 edition, is required.
19. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances

Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following 27 items:

20. This property is currently subject to Causeway Center Office Condominium. A Declaration Amendment and Plat Addendum or a Condominium Removal Instrument and a new Condominium Declaration and Plat will be required. All condominium documents must be submitted for approval prior to recording to the Department of Planning.
21. If the proposed site ultimately is not to be subject to a Condominium, a Certified Survey Map will be required as the proposed new building would then cross an underlying platted lot line. Current State building code and City enforcement requires the underlying platted lot line be dissolved by Certified Survey Map (CSM). The owner shall have a CSM prepared for submittal to City Planning for City approval and recording with the Dane County Register of Deeds.
22. The Common Access Easements (per CSM 2358 and Doc. No. 1514548) along the southwesterly side of the site shall be revised/amended with the proposed layout. The location of the public sanitary sewer easement per CSM No. 2358 shall remain unchanged. If the Option B site plan is exercised, the Access Easement will remain in its current location.
23. The 10 foot wide Madison Metropolitan Sewerage District (MMSD) is shown to not encompass the existing MMSD force main along the north side of this site. Coordinate with MMSD to create a new Easement Agreement for the 25 foot wide easement as shown and noted on the Site and Utility Plans.
24. The Joint Driveway Agreement (Doc. No. 1822070) along the southeasterly lot line, in common with 1020 John Nolen Drive, shall be restated/amended to include the necessary areas required for the fire lane as shown on Sheet C105.
25. A private storm water drainage and storm sewer agreement shall be recorded and a copy provided for the common drainage and storm sewer shared with 1020 John Nolen Drive.
26. All site plans shall include all information required for Parking Lot Plan approval. This also includes labeling and location of all easements existing and proposed legal description of the property and dimensions.
27. Retail addresses and apartment addresses will be determined when detailed floor plans are provided.
28. If the access road is altered, the current access agreement needs to be modified and recorded.
29. Plans show a "proposed 25-foot wide MMSD Sanitary Interceptor Easement". The word "interceptor" should be deleted on all sheets and replaced with "force main".
30. The Applicant shall contact Todd Gebert at MMSD at 222-1201x235 to discuss how the proposed easement will be conveyed. Easement conveyance needs to occur prior to sign off of the plans.
31. No excavation will be allowed within the proposed easement area. On sheet C101 there is a building outline shown that appears to be the outline of the basement. With a sizeable structure, we are concerned with how far the excavation/footing will extend into the easement and potentially disturb the 42-inch force main. Provide details to MMSD on the foundation/footing system to be used in this area.
32. Interceptor connection charges have been paid, however treatment plant charges are due in the amount of \$908.45.
33. Sheet L1 shows trees and landscaping proposed over the existing sanitary sewer. Revise plans to eliminate the landscaping plantings.
34. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.

35. 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.
36. Submit a PDF of all floor plans to lzenchenko@cityofmadison.com so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
37. The applicant shall demonstrate compliance with MGO Section 37.07 and 37.08 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.
38. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to:
 - a) Control 80% TSS (5 micron particle) off of new paved surfaces.
 - b) 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 MGO Chapter 37.
39. 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 (POLICY).
40. 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 namesAll 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 (POLICY and MGO 37.09(2) & 37.05(4)).
41. 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 Management Facilities (including if applicable planting plans)

42. 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 (POLICY and MGO 37.09(2)).

43. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction (MGO 37.05(7)). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

44. 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)).

45. All outstanding Madison Metropolitan Sewerage District (MMSD) 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 (MGO 16.23(9)(d)(4)).

46. 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 (POLICY).

Please contact my office at 266-5974 if you have questions about the following 2 items:

47. Final plans submitted for staff review and approval shall include detailed floor plans for the proposed residential units, and a unit count not to exceed 80. The applicant is encouraged to include a greater proportion of two-bedroom units in the building, which would result in fewer units overall.

48. Final plans submitted for staff review and approval shall include a management plan for the property to include the following items:

- a) Residential parking policies (reserved spaces, access to underground and surface parking areas)
- b) Policies for access to the rooftop open space areas (who has access and when)
- c) Maintenance plan for proposed green roof areas and community garden spaces
- d) Trash and snow removal plans

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency. No 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 conditional use permit:

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. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use.

If you have any questions regarding obtaining the demolition or 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

cc: Janet Dailey, City Engineering Division
 Jeff Quamme, City Engineering Division
 Pat Anderson, Asst. Zoning Administrator
 Eric Halvorson, Traffic Engineering
 Bill Sullivan, Fire Department
 Kay Rutledge, Parks Division
 Al Martin, Urban Design Commission

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

Signature of Applicant

Signature of Property Owner, if not Applicant

For Official Use Only, Re: Final Plan Routing			
<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 checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: