



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
TDD 608 266-4747
FAX 608 267-8739
PH 608 266-4635

August 7, 2008

Julie Grove
University of Wisconsin-Madison
614 Walnut Street
Madison, Wisconsin 53726

RE: Approval of a conditional use to allow construction of an addition to the Chazen Museum of Art at 750 University Avenue.

Dear Ms. Grove:

The Plan Commission meeting in regular session on August 4, 2008 determined that the ordinance standards could be met and **approved** your request for a conditional use permit to allow construction of an addition to the Chazen Museum of Art at 750 University Avenue, subject to the conditions below. In order to receive final zoning approval of the conditional use, the following conditions shall be met:

Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions regarding the following eight items:

1. Master Plan for the Block Required: With the demolition of the Peterson Building, the new Murray Mall, and the proposed new development on the block, which also results in the loss of Murray Street and Fitch Court, the University shall work cooperatively with the City of Madison to complete a master plan for the subject block (specifically the area bounded by Park, State Street, Lake Street and University Avenue (700 and 800 blocks)).

The master plan shall be completed and approved by the Plan Commission and Common Council prior to or concurrent with any formal sign-off of the subject application. The details of the Master Plan will be determined and are subject to change pending further study and investigation. The University acknowledges that the City intends that the Master Plan consider the following to address access, service and street capacity related to the new development, the new Murray Mall, and the loss of Murray Street and Fitch Court currently serving the block:

- a.) a public service court, designed for truck turnaround service, from Lake Street to Fitch Court to service the subject block's multiple buildings and service needs off-street from Lake Street to North Murray Street/East Campus Mall, related to providing alternate access to properties affected by the loss of vehicular access on Murray Street/East Campus Mall and Fitch Court.
- b.) the dedication by Certified Survey Map by the University of additional street right of way, fee simple and sidewalk easements along Lake Street from University Avenue to State Street adjacent to University properties (approximately 10-12 feet) to replace and provide capacity for traffic demands, ingress/egress, parking, drop off, and service needs;

- c.) site drop-off/pick-up plans and designs along University Avenue to serve and replace existing like facilities;
 - d.) site plans for potential truck service and delivery from University Avenue to N. Murray Street/East Campus Mall to service the University Club and other like situated properties;
 - e.) working cooperatively with the City to resolve issues related to the removal, replacement or payment for the existing fourteen (14) metered public parking stalls on N. Murray Street.
 - f.) If necessary, the University shall complete a traffic impact study for the 700 and 800 Blocks.
2. Providing Alternate Access to Properties that May be Affected by the Loss of Vehicular Access on the East Campus Mall.
- a.) Phase A – East Campus mall closed to normal vehicular traffic and Fitch Court remains in place. Prior to the conversion of the East Campus Mall from a standard City street to a pedestrian / bike mall the University shall complete the following. The University shall dedicate sufficient roadway easement to allow a WB-50 design vehicle (or alternate design vehicle if acceptable to the City Engineer and City Traffic Engineer) to move through Fitch Court and out to Lake Street in a manner sufficient to serve the effected parcels and as required by the City Engineer and City Traffic Engineer. In addition, the University shall construct any necessary street improvements as required by the City Engineer to facilitate the movement however the improvements are considered temporary and full street improvements shall not be required until Phase B. The University shall fund these improvements.
 - b.) Phase B – East Campus mall closed to normal vehicular traffic and Fitch Court discontinued north of University Avenue. The University is interested in asking the City to vacate Fitch Court north of University Avenue. Prior to vacating Fitch Court north of University Avenue, the University shall complete the following. The University shall dedicate a new future right of way and agree to construct a new future street, including utilities, from N. Lake Street to Fitch Court, as approved by the City's Board of Public Works and Common Council and in accordance with the City of Madison Standard Specifications for Public Works Construction. The University will request vacation of all or part of Fitch Court. The new right of way and street shall be sufficient to accommodate a WB-50 design vehicle and shall be sufficient to service the properties adjacent to Fitch Court. This could be accomplished by creating a dead end street with a turn around sufficient to accommodate the design vehicle or by creating some type of a loop street with sufficient turning radii. The University shall enter into an agreement for this work and shall coordinate with the City of Madison for dedication of the future right of way and easements and shall relocate or have relocated any necessary utilities, both private and public that need to be relocated to effect the vacation of Fitch Court. The University shall fund these improvements.
3. Traffic Signals. Unless otherwise provided, the University shall, prior to sign-off, execute an agreement with the City for the traffic signal operation and maintenance costs of the traffic signals installed for the benefit of the University at the intersections of University Avenue and N. Murray Street/East Campus Mall and W. Johnson Street and N. Murray Street/East Campus Mall (similar to existing agreement for the traffic signals at Highland Avenue and Observatory Drive).
4. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, and a scaled drawing at 1" = 20'.

5. "Stop" and "No Left Turns" signs shall be installed at a height of seven feet to the bottom of the first sign at the driveway approach to University Avenue and "Do Not Enter" sign shall be installed at a height of seven feet at University Avenue westerly approach. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan. The applicant shall submit a detail signage plan to secure the one-way operation for the drop-off drive aisle along University Avenue.
6. The applicant shall modify the approaches to install Class 3 driveway approaches on University Avenue. The applicant shall dimension all driveway approaches with flares according to MGO.
7. The developer shall post a deposit and reimburse the City for all costs associated with any modifications to traffic signals, street lighting, signing and pavement marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
8. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following twenty (20) items:

9. Plans for the East Campus Mall shall be approved separately by the Common Council. A development agreement or an alternate format as approved by the City Engineer shall be required for the East Campus Mall.
10. Revise plan to show that University Avenue has concrete pavement. Concrete pavement replacement shall extend to existing longitudinal joints.
11. All inlets draining the drop off area shall have 40% TSS control meeting new Wisconsin Department of Natural Resources implementation guidelines and oil and grease control. A maintenance agreement is required for these practices.
12. Additional public storm sewer installations or replacements may be required as determined by the City Engineer.
13. Non-standard storm items (i.e. plotted drains) within the right of-way shall be maintained by the developer. A maintenance agreement shall be required.
14. Plans need to show the latest proposed utility improvements for East Campus Mall (previously named N. Murray Street).
15. 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.
16. 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.

17. The applicant shall replace all sidewalk and curb and gutter which abutting the property, which is damaged by the construction or any sidewalk and curb and gutter that 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.
18. 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.
19. 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 Wisconsin Department of Natural Resources is required.
20. 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 40% TSS (20 micron particle) off of new paved surfaces, provide oil and grease control from the first 1/2" of runoff from parking areas and 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.
21. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko) lzenchenko@cityofmadison.com. The digital copies shall be drawn to scale and represent final construction, including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. Email file transmissions preferred. Please include the site address in this transmittal. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format.
22. 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, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
23. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management File including: SLAMM DAT files; RECARGA files; TR-55/HYDROCAD/etc., and; 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.
24. 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.

25. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
26. 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.

The permit applications for #25-27 are available on line at:
<http://www.cityofmadison.com/engineering/permits.cfm>.

27. 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. Please contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering signoff.
28. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service.

Please contact Scott Strassburg, Madison Fire Department, at 261-9843 if you have questions about the following three items:

29. East Campus Mall must support 85,000-pound load for fire access; show 26 foot aerial access to building; provide fire apparatus access as required by Comm. 62.0509 and MGO 34.19, as follows: provide an aerial apparatus access fire lane that is at least 26 feet wide, with the near edge of the fire lane within 30 feet of the structure, and parallel to one entire side of the structure, if any part of the building is over 30 feet in height.
30. Provide fire apparatus access as required by Comm. 62.0509 and MGO 34.19, as follows:
 - a.) The site plans shall clearly identify the location of all fire lanes.
 - b.) Provide a fire lane that extends to within 150 feet of all exterior portions of the structure, or it can be extended to within 250 feet if the building is fully sprinklered.
 - c.) Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.
 - d.) Provide a minimum unobstructed width of 26 feet for at least 20 feet on each side of the fire hydrant.
31. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500 feet of at least two fire hydrants. Distances are measured along the path traveled by the fire truck as the hose lays off the truck. See MGO 34.20 for additional information.

Please contact my office at 261-9632 if you have questions about the following two items:

32. That the University receive the approval of the City Forester for the trees proposed on the south side of the guest loading zone/ handicapped parking area in the University Avenue right of way.
33. That the cooperative master planning for the 700- and 800-blocks of University Avenue and State Street as called for by the agreement between the City of Madison and University be completed prior to the issuance of final staff approval and the commencement of construction for the museum addition.

Please now follow the procedures listed below for obtaining your conditional use permit:

1. Please revise your plans per the above and submit *seven (7) copies* of a complete plan set to the Zoning Administrator for final review and comment prior to the commencement of construction. Also be sure to include any additional materials requested by these departments for their approval prior to sign off.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator prior to the commencement of construction.
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 permit.

If you have any questions regarding obtaining your demolition or 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

I hereby acknowledge that I understand and will comply with the above conditions of approval for this conditional use. _____ <i>Signature of Applicant</i>
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cc: Matt Tucker, Zoning Administrator
John Leach, Traffic Engineering
Scott Strassburg, Madison Fire Dept.
Janet Dailey, Engineering Division

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