



Department of Planning & Community & Economic Development  
**Planning Division**

Website: [www.cityofmadison.com](http://www.cityofmadison.com)

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March 18, 2009

Erik Minton  
20/15, LLC  
21 N. Butler Street  
Madison, Wisconsin 53703

RE: Approval of a request to rezone 425 W. Washington Avenue from R6 (General Residence District) to Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow construction of a mixed-use building containing a 10,865 square-foot fitness facility, 2,800 square feet of first floor retail space and 42 apartment units following demolition of an existing one-story medical office building.

Dear Mr. Minton;

At its March 17, 2009 meeting, the Common Council **conditionally approved** your application to rezone property located at 425 W. Washington Avenue from R6 to PUD-GDP-SIP to allow construction of a mixed-use building following demolition of the existing building on the site. The following conditions of approval shall be satisfied prior to final approval and recording of the planned unit development and the issuance of permits for demolition and new construction:

**Please contact Janet Dailey, City Engineering Division, at 261-9688 if you have questions regarding the following twenty-three (23) items:**

1. Any damage to the W. Washington Avenue pavement will require restoration in accordance with the City's Patching Criteria.
2. Provide additional drainage detail for underground parking entrance. Proposed plan must demonstrate protection from the 100-year flood with design by a Professional Engineer.
3. Provide projected sewer flows to City Engineer for review. The existing public sewer system may not be adequate to support this development.
4. Proposed 6" sewer lateral connecting to 6" sewer main requires connection at a manhole.
5. The General Notes found on Plan Sheet No. 3 indicate site boundary is based on a Calkins Engineering, LLC prepared site survey. Provide a copy of the site survey with the plan set to clarify what appear to be discrepancies with the configuration of this property.
6. The portion of the legal description found on Sheet 1 calls out Lot 4 and city records indicate this should be Lot 5.
7. The site plan makes it appear that the trees proposed to be removed are not on the applicant's property.

8. Submit a PDF of all floor plans to Lori Zenchenko [lzenchenko@cityofmadison.com](mailto: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.
9. 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.
10. The approval of this project does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. 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.
11. The applicant shall replace all sidewalk and curb and gutter that 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.
12. The applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. A Professional Engineer must stamp the soil retention system. The City Engineer may reject or require modifications to the retention system.
13. A City licensed contractor shall perform all work in the public right-of-way.
14. The site plans shall be revised to show the location of all rain gutter down spout discharges.
15. 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 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.
16. 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](mailto: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. All other levels (contours, elevations, etc) are not to be included with this file submittal. Email file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.
17. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. 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).

18. 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.
19. 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.
20. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
21. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
22. 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.
23. 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 John Leach, Traffic Engineering Division, at 267-8755 if you have questions about the following twelve items:**

24. A condition of approval shall be that no residential parking permits shall be issued for 425 W. Washington Avenue, as would be consistent with other projects in the area. In addition, the applicant shall inform all tenants of this facility of the requirement in their apartment leases and record in zoning text. The applicant shall note in the Zoning Text that no residential parking permits shall be issued. In addition, the applicant shall submit for 425 W. Washington Avenue a copy of the lease noting the above condition in the lease when submitting plans for City approval.
25. City of Madison radio systems use microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by the City Traffic Engineer to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds four stories prior to sign-off to be reviewed and approved by Keith Lippert, (266-4767) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
26. The applicant shall modify the bike parking area so that the bicycle parking spaces do not encroach on the public right-of-way. Any encroachment onto the public right-of-way will need to be approved by City of Madison Real Estate Division prior to plans being submitted for approval.
27. The applicant shall indicate the type of bicycle racks to be installed both inside and outside.

28. 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), adjacent driveway approaches to lots on either side, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
29. The applicant shall modify the driveway and approach according to MGO 10.08(3)(b), which states that no entrance shall be closer than 5 feet to an adjacent property line.
30. The applicant shall submit with the parking lot plans a letter of operation of the garage door to the underground parking area, and modify the ingress/egress showing a detail drawing of the area showing queuing of at least one vehicle 20 feet from the behind the property line to the garage door that will not be blocking the public sidewalk to the lake access. If the applicant is required a loading area on site that may require the garage door to be 30 feet from the property line.
31. The ramp down to underground parking percent of sloped shall be designed to accommodate low-clearance vehicles for a transition. The applicant shall provide a profile of the ramp showing the slopes critical clearance, when plans are submitted.
32. A "Stop" sign shall be installed at a height of 7 feet at the driveway 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.
33. Per ordinance, the small car stalls shall not exceed 25% of the total number of Medium and Large Vehicles and Small Vehicles stalls for the facility. The site plan shall show small car parking spaces identified and properly controlled with a sign "Small Cars Only" per each space, when plans are submitted for approval.
34. 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.
35. 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 Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following ten items:**

36. In regard to the provision of off-street loading berths, the applicant has not provided a designated off-street loading area for this project, and therefore requests a waiver of said requirement with this request. Otherwise, the project shall 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. Identify this area on the plan. Post a sign in the stall.
37. Show canopies and roof structures on the site plan.
38. Show the building height on the elevation drawings per "City Datum". The building shall not exceed 187.2' City Datum per MGO 28.04(14).

39. Meet applicable building codes, including accessible requirements.
40. Provide a detailed landscape plan. Show species and sizes of landscape elements.
41. Provide 47 bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. Note: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices. Show the stalls on the plans.
42. Meet all applicable State accessible requirements, including but not limited to:
  - a.) Provide a minimum of 1 van accessible stall striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent to and on the passenger side.
  - b.) Show signage at the head of the stalls.
  - c.) The stalls shall be as near the elevator as possible.
43. In the zoning text, address the following:
  - a.) In the permitted use section, include, 42 apartments, a 10,865 sq. ft. health club, 2,795 sq. ft. of commercial/retail [to be specified by Planning Division condition above].
  - b.) Accessory uses to the above uses, including but not limited to accessory parking and home occupations as defined in Chapter 28 of the Madison General Ordinances.
  - c.) Signage for the commercial spaces may use C1 or C4 signage as approved by the Urban Design Commission.
44. If outdoor lighting is provided, it must comply with City of Madison outdoor lighting standards.
45. The site plan indicates that the outside bike racks will encroach into the city right of way. Contact Jerry Lund (267-8718) with the City's Office of Real Estate Services to discuss an encroachment agreement for bike racks.

**Please contact Tom Maglio, Parks Division, at 266-4711 if you have questions about the following item:**

46. The developer shall pay approximately \$83,708.10 for park dedication and development fees for 42 new multi-family units (Fees in lieu of dedication =  $(42 @ \$1,407) = \$59,094.00$ ; Park development fees =  $(42 @ \$586.05) = \$24,614.10$ ). The developer must select a method for payment of park fees before signoff on the SIP.

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

47. The project shall comply with all applicable Fire Codes (MGO, IFC, IBC).

**Please contact my office at 261-9632 if you have questions about the following eight items, including the condition of approval added by the Plan Commission on March 9, 2009. Note that the approval of this project is based on the plans dated March 9, 2009, which were presented at the Plan Commission meeting.**

48. That the development plans be revised per Planning Division approval prior to recording as follows:
  - a.) a section of the five-story building showing the floor to floor heights of each level, including any proposed mezzanines and the pool;

- b.) the height of the building depicted on each elevation as measured at the four corners of the structure;
- c.) the floorplans revised to specifically identify all spaces shown on the plans, including the square footage of all the interior spaces identified including the square footage of the elevator shafts and stairwells at each floor above grade;
- d.) the site plan revised to label the setbacks from the nearest point of the building to all property lines, including any overhanging elements;
- e.) a final detailed floor area ratio calculation for the building;

49. That the family definition for the proposed residential component correspond to the R4 district.
50. That the applicant submit an easement or other similar agreement with the property owner at 432 W. Main Street to allow for the temporary removal of landscaping elements on his/her property during construction. Said agreement shall also permit the installation of the landscaping shown along the common property line between the subject and adjacent sites. A minor alteration to the PUD for 432 W. Main Street may be required to implement the applicant's landscaping plan.
51. That the applicant work with Planning Division staff and the Zoning Administrator prior to final approval and recording of the PUD-GDP-SIP to specifically enumerate the permitted and accessory uses to be allowed within the planned unit development. The applicant may use the list of permitted uses in C2 General Commercial zoning as a basis for developing this specific list.
52. Due to the particular nature of the mixed-use development, that applicant shall provide a parking management plan for Planning Division approval prior to recording of the PUD-GDP-SIP that discusses the allotment of parking stalls for the project, including the hours of operation specific spaces will be available and to whom, and any monitoring mechanisms that will be employed.
53. That the applicant work with the Planning Division prior to recording of the PUD-GDP-SIP to revise the mix of dwelling units contained in the development. Specifically, the applicant should diversify the mix of units to decrease the number of efficiency units and provide a combination of larger one-bedroom units, additional two-bedroom units and possibly some three-bedroom units throughout the residential component.
54. That the applicant submit a current reuse and recycling plan to the City's Recycling Coordinator for review and approval prior to the issuance of a wrecking permit.
55. That the applicant submit a tree protection plan to the City Forester for approval prior to recording of the planned unit development that addresses protecting the trees in the public terrace during construction.

**The applicant is also required to satisfy the conditions of approval of the Urban Design Commission prior to the final staff approval of the project and the issuance of building permits. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions.**

After the plans have been changed as per the above conditions, please file **ten (10) sets** of the revised, **complete** site plans, building elevations, floor plans and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their signature of final approval.

Upon receipt of the aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds Office. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process.

If this plan is not recorded within one year of the date of approval by the Common Council, the approval shall be null and void. No construction or alteration of the property included in this application shall be permitted until a Specific Implementation Plan (SIP) has been approved and recorded.

Within thirty-six (36) months of Common Council approval of the general development plan, the basic right of use for the areas, when in conformity with the approved specific implementation plan, shall lapse and be null and void unless 1) the project, as approved, is commenced by the issuance of a building permit, or 2) if an application for an extension is filed at least thirty (30) days prior to the expiration of the thirty-six (36) month period and the Plan Commission, after a public hearing pursuant to Sec. 28.12 (10)(e), determines that no changes in the surrounding area or neighborhood since approval of the general development plan render the project incompatible with current conditions and grants an extension of up to twenty-four (24) months in which to obtain a building permit. In no case shall an extension allow a building permit to be issued more than sixty (60) months after approval of the general development plan by the Common Council. If a new building permit is required pursuant to sec. 29.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain general development plan approval and specific implementation plan approval.

If you have any questions regarding recording this plan or obtaining permits, please call Matt Tucker, Zoning Administrator, at 266-4551. If I may be of any further assistance, please do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks  
Planner

cc: Janet Dailey, City Engineering Division  
John Leach, Traffic Engineering Division  
Tom Maglio, Parks Division  
Scott Strassburg, Madison Fire Department  
Pat Anderson, Asst. Zoning Administrator

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input 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: