



Department of Planning & Community & Economic Development

## Planning Division

Katherine Cornwell, Director

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Madison Municipal Building, Suite LL-100  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2985  
Madison, Wisconsin 53701-2985  
Phone: (608) 266-4635  
Fax (608) 267-8739  
[www.cityofmadison.com](http://www.cityofmadison.com)

August 12, 2014

Douglas Pahl  
Aro Eberle Architects Inc.  
116 King St., Ste 202  
Madison, WI, 53706

RE: Approval of a conditional use for construction of a nine-unit multi-family residential building in the Commercial Corridor – Transitional (CC-T) District.

Dear Mr. Pahl:

At its August 11, 2014 meeting, the Plan Commission found the standards met and **approved** your client's conditional use request for a nine-unit multi-family residential building at 605 Cottage Grove Road (soon to be 3913 Claire Street), 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 my office at 266-5974 if you have questions regarding the following 4 items:**

1. Final plans submitted for staff review and approval shall include detail on an accessible bicycle path from the front entrance to the basement parking area, including automatic doors and a ramp along the stairway for convenience.
2. The applicant shall study the following changes and discuss them with staff prior to submitting final plans for staff review and approval
  - a) Add a concrete or other masonry base to the building, consistent with the modern architectural style proposed.
  - b) Add a rear common entrance to the building, or ensure that one or more of the ground floor units have accessible rear entrances adjacent to the parking area.
  - c) Utilize flat fiber cement paneling, rather than horizontal siding as a primary exterior material
3. A fully detailed rooftop plan shall be provided for staff review and approval.
4. Prior to submitting final plans for review and approval, the applicant shall provide further detail on the proposed windows and fiber cement and metal paneling.

**Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following 20 items:**

5. The site plan indicates this parcel will be divided into two lots. A two lot Certified Survey Map with application and required supporting information shall be prepared and submitted to the City of

Madison Planning Department. The CSM shall be approved by the City, recorded with the Dane County Register of Deeds and all new parcel land records information completed in appropriate City databases prior to issuance of new building permits for this proposed site.)

6. Label the utility easements shown on the site plan with the appropriate recording information.
7. The three 1<sup>st</sup> floor apartments with exterior entries will each have their own Claire St address. The upper units will use the base address of 3913 Claire St.
8. At a minimum roof and parking drainage shall be discharged to the curb not over the sidewalk.
9. Soil contamination remains onsite from the investigation of the adjacent property, per BRRTS #03-13-000444. If such soil is encountered during this development, it shall be managed in accordance with Ch. NR 718, Wis. Adm. Code.
10. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
11. Submit a PDF of all floor plans to [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.
12. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
13. 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).
14. 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).
15. All damage to the pavement on Claire St 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).
16. 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 (POLICY and MGO OVER 10,000 SF OF IMPERVIOUS AREA 10.29 and 37.05(7)(b)).
17. 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).
18. 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.
19. 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).

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 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.
21. 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)
22. 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>.
23. 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 Schmidt (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)).
24. 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 Pat Anderson of the Zoning Office at 266-5978 if you have any questions regarding the following 11 items:**

25. Screening shall be provided along District boundaries lines subject to Section 28.142 (8). Provide a detail of the proposed screening on the South and West sides of property, to screen the SR-C1 and SR-C3 residential properties.
26. A minimum of one guest bike parking stall, designed as short-term stall, must be located within 100' of the main entrance. The 6 stalls located at the rear of the building do not meet this requirement. Call out and dimension all bike stalls on final plans. Bike stalls shall be (2) feet by (6) feet and a (5) foot clear access aisle. Provide details of bike racks to be installed.
27. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31, Sign Codes. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.
28. Provide a screening detail for the refuse enclosure.
29. The proposed building addition to the gas station, and other site changes, such as the relocation of the gas station screening fence at 608 Cottage Grove Road will require approval of an alteration to the existing Conditional Use. NOTE: compliance with all CC-T zoning requirements must be maintained, particularly the lot coverage maximum requirement, when the lot is subdivided.
30. The final landscaping plan shall be prepared and stamped by a registered landscape architect.

31. Adequate Usable Open Space (UOS) is being provided, however, rear patios are shown as qualifying UOS. Patios may count as UOS if they are installed with permeable paving. Either delete these features from the UOS calculation or provide a detail of the permeable paving proposed for installation of the patios. Note: Lot coverage also may be modified if permeable paving is installed.
32. The submitted plans are internally inconsistent in regard to the number and design of auto parking spaces that are to be provided. It appears as though 14 stalls are provided (13 stalls plus one van-accessible stall) although some plan sheets show 12 stalls. Final plans shall be internally consistent in regard to number, design and placement of auto parking stalls.
33. Submitted plans show an "office" space in the basement area. Certain office uses are permissible within multi-family buildings, with supplemental regulations. Provide clarification as to the use of this space with the final plan sets.
34. Per Sec. 28.060(2)(d), all facades on this building must provide a minimum of 15% window opening. With the final plan set, provide calculations of window openings for all facades, so ensure this requirement has been met.
35. No rooftop or ground-level mechanical equipment is shown on the submitted plans. If such equipment is proposed, it must be screened per Sec. 28.060(2) (e) & (f).

**Please contact Eric Halvorson of Traffic Engineering at 266-6527 if you have any questions regarding the following 7 items:**

36. The parking stall located on the north side of the dumpster location does not meet the requirements of MGO 10.08. Applicant shall relocate dumpster enclosure to the north of this stall or remove the stall to meet requirements of MGO listed above.
37. Provide an ADA approved pedestrian sidewalk from the building access points to the public Right-of-Way.
38. To improve pedestrian circulation all sidewalk adjacent to parking shall be 7 feet in width and all sidewalk adjacent to buildings shall be 6 feet in width. All other sidewalks shall be 5 feet in width.
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 Kay Rutledge of the Parks Division at 266-4714 if you have any questions regarding the following 4 items**

43. 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. The developer must select a method for payment of park fees before signoff on the conditional use. This development is within the Olbrich park impact fee district (S125). Please reference ID#14141 when contacting Parks about this project.

Fees in lieu of dedication =	9	MF @	\$1,799.00	=	\$16,191.00	
Park development fees =	9	MF @	\$662.95	=	\$5,966.55	
					Total Fees	\$22,157.55

44. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Please submit an existing inventory of trees (location, species, & DBH) and a tree removal plan (in PDF format) to Dean Kahl – [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.

45. Additional street trees are needed for this project. All street tree planting locations and trees species with the right of way shall be reviewed by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl – [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816. Approval and permitting of tree planting shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part2.pdf>.

46. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>

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

47. IBC 1021.2 requires a second exit from the 3<sup>rd</sup> floor of Group R-2 Occupancies (Apartments) unless the exit travel distance is less than 50-ft. Provide additional documentation if applicable.

48. Provide aerial fire access lanes as required per MGO 34.500 and IBC Chapter 5 along with Appendix D.

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

49. This property is not located within 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.

**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 **nine (9)** 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 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 Schmidt, 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

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

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*Signature of Applicant*

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*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 type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Real Estate