



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

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

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FAX 608 266-8739  
PH 608 266-4635

January 14, 2013

Randy Bruce  
Knothe and Bruce Architects, LLC  
7601 University Ave. Ste. 201  
Middleton, WI 53562

RE: Approval to demolish two residential buildings and rezone property from the C2 (General Commercial) District to PUD-SIP (Planned Unit Development-Specific Implementation Plan) to construct a twelve-story building with 40 residential units and a ground floor commercial space.

Dear Mr. Bruce:

At its January 8, 2013 meeting, the Common Council **approved** the demolition of existing buildings and the rezoning of your client's property at 313-315 North Frances Street from C2 to PUD-GDP-SIP subject to the conditions of approval from reviewing agencies below. Please note that since the new Zoning Code has taken effect as of January 2, 2013, this property will be zoned PD-GDP-SIP (Planned Development - General Development Plan – Specific Implementation Plan):

**Please contact my office at 266-5974 with questions about the following 7 items:**

1. The applicant shall revise the zoning text to limit the occupancy of each dwelling unit to one occupant per bedroom plus one additional occupant.  
(Note: This condition was changed to the above by the Plan Commission on December 17, 2012.)
2. The applicant shall submit a management plan for approval by the Planning Division director following a recommendation from the Building Inspection Division. The property owner and management company shall abide by the terms of the Plan. The property owner shall submit for approval any changes to management procedures or the managements company. The management plan shall be referenced in the zoning text and recorded as part of the PUD  
(Note: This condition was added by the Plan Commission on December 17, 2012.)
3. The management plan shall be revised and submitted to staff for review and approval with the following revisions:
  - a) Detail on how recycling will be handled within the building. The applicant is strongly encouraged to incorporate a second chute for recyclables, so that they are collected within the first floor trash management area.
  - b) Detail on how the management company will ensure that mopeds are parked solely in designated spaces in the underground parking area, and not elsewhere on the property.
  - c) Detail on how employees for the commercial space will access the secure bicycle parking area, so that the four stalls on the exterior of the building will be reserved for use by visitors and customers.
4. The applicant shall provide a revised twelfth floor plan for staff review and approval to include an example layout of living and dining area furniture to demonstrate that the four and five-bedroom

units can adequately accommodate the number of tenants intended for each unit. In the revised floor plan, all bedrooms shall have a window.

5. The applicant shall provide revised floor plans to include common closet spaces in all units with over two bedrooms.
6. Final plan sets shall include updated landscaping and lighting plans for review and approval by Planning Division and Urban Design staff. Lighting and landscaping for the project may be provide within the Frances Street right-of-way if maintenance and encroachment agreements pertaining to such improvements are approved.

(Note: This condition was changed to the above by the Plan Commission on December 17, 2012.)

**Please contact Matt Tucker, Zoning Administrator, at 266-4569 with questions about the following 8 items:**

7. Provide a reuse and recycling plan, to be reviewed and approved by the City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permit being issued.
8. MGO Section 28.12(12)(e) 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.
9. Bike parking shall comply with MGO Section 28.11. Provide 99 bike parking stalls (one per bedroom) 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. Moped parking must also be shown, if provided.
10. 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.
11. In the Zoning Text, revise the signage to be allowed as per MGO Chapter 31 as compared to the R6 District.
12. Identify usable open space areas and area calculations when the PUD(SIP) is submitted for final review and approval by staff.
13. Put addresses of the building and number of units on the final plan sets, pursuant to MGO Section 10.34(2). Address information can be obtained from Lori Zenchenko of City Engineering at (608)266-5952.
14. Include elevations of the building as part of final plan submittal.

**Please contact Janet Dailey, City Engineering at 261-9688 with questions about the following 22 items:**

15. A direct connection to storm sewer on the west side of Frances Street will be required for roof drainage per a design approved by the City Engineer.
16. Applicant shall revise the sanitary sewer lateral to be a 6" diameter lateral. If an 8" diameter lateral is requested it will require the connection to be made at a manhole (either at an existing manhole or a new manhole).
17. Sewer plugs for lateral abandonment after January 1, 2013 shall be by City crews with applicant paying costs for the service.
18. The Applicant shall provide additional information on the staging and storage for the construction of the building and how that will impact the public right of way..

19. It is anticipated that Conklin Place will need to be repaved adjacent to the development due to construction related activities. If the entire length of Conklin Place is used for hauling, any damage to the public infrastructure that is caused by the construction activities shall be responsibility of the Developer to repair.
20. The pending Certified Survey Map for this property shall be completed and recorded with the Register of Deeds (ROD). 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.
21. In accordance with 10.34 MGO – STREET NUMBERS - Submit a PDF of each floor plan to Engineering Mapping Lori Zenchenko (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.
22. 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.
23. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
24. The approval of this 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.
25. 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.
26. 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.
27. The Applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
28. All work in the public right-of-way shall be performed by a City licensed contractor.
29. All damage to the pavement on N. Frances Street, Conklin Place, and public alley 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>.

30. The site plans shall be revised to show the location of all rain gutter down spout discharges.
31. 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.
32. 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 Misc 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 names

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred [izenchenko@cityofmadison.com](mailto:izenchenko@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.

33. 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. 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).
34. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. This permit application is available on line at: <http://www.cityofmadison.com/engineering/permits.cfm>.
35. Prior to approval of the PUD, the owner shall obtain a permit to plug each existing storm 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. \$100 non-refundable deposit will cover for the cost of inspection of the plugging by City staff; and the remaining \$900 will cover 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. This permit application is available on line at: <http://www.cityofmadison.com/engineering/permits.cfm>.
36. 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 Langer, Traffic Engineering, at 266-5987 with questions about the following item:**

- 37. The lack of any building setback and loading zone on North Frances Street or Conklin Place will result in noticeable congestion and periodic blockages of Conklin Place & Frances Street.
- 38. No residential parking permits shall be issued for this development. In addition, the applicant shall inform all tenants of this facility of the requirement in their apartment leases, and note in the Zoning Text that no residential parking permits shall be issued. In addition, the applicant shall submit a copy of the lease noting the above condition in the lease when submitting plans for City approval.

(Note: This condition was added by the Common Council on January 8, 2013.)

**Please contact Dennis Cawley, Water Utility, at 261-9243 with questions about the following 3 items:**

- 39. The Madison Water Utility shall be notified to remove the water meters prior to demolition.
- 40. This property is not in a wellhead protection district.
- 41. 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, Fire Department, at 266-4420 with questions about the following 2 items:**

- 42. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances. Additional technical comments could be warranted as the design progresses.
- 43. Please consider allowing the Madison Fire Department to conduct training sequences prior to demolition. Contact MFC Training Division at (608) 246-4587 to discuss possibilities.

**Please contact Kay Rutledge, Parks Division, at 266-4714 with questions about the following 5 items:**

- 44. This development is within the Vilas-Brittingham impact fee district (SI27).
- 45. The developer shall pay approximately \$83,387.84 for park dedication and development fees for the new 40-unit building after a credit is given for the existing single family home and three-unit multi-family building currently located on the property. (See calculation of 2013 rates below. Rates will be higher if paid after 2013).

<b>New Development</b>	
Fees in lieu of dedication = (40 mf @ \$1,708) =	\$68,320.00
Park development fees = (40 mf @ \$645.40) =	<u>\$25,816.00</u>
<b>Subtotal Fees =</b>	<b>\$94,136.00</b>
 <b>Credit for Existing Development</b>	
Fees in lieu of dedication (1SF @ \$2,684 + 3MF @ \$1,708) =	\$ 7,808.00
Park development fees = (1SF @ \$1,003.96 + 8MF @ \$645.40) =	<u>\$ 2,940.16</u>
<b>Subtotal Credit =</b>	<b>\$10,748.16</b>
 <b>Total Fees =</b>	 <b>\$83,387.84</b>

- 46. The developer must select a method for payment of park fees before signoff on the SIP.
- 47. There is a need for public open space in this area; fees in lieu of dedication from this project and other projects in this area will be utilized to pursue acquisitions (via purchase and dedication) of land to help accomplish this goal.
- 48. 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

After the plans have been changed per the above conditions, please file eleven **(11) sets** of the revised, complete plan set 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 demolition or construction on the property shall be permitted until the PUD-GDP-SIP has been approved and recorded.

**Building permits will not be issued until this process has been completed. No interior, exterior or structural demolition or wrecking activities or remodeling activities (including material reclamation activities by the applicant or a third party) shall commence nor any wrecking or building permits be issued until the applicant has met all of the conditions of approval stated in this letter.**

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 266-5974.

Sincerely,

Heather Stouder, AICP  
 Planner

cc: Janet Dailey, City Engineering  
 Matt Tucker, Zoning  
 Scott Langer, Traffic Engineering  
 George Dreckmann, Recycling Coordinator  
 Eric Pederson, Engineering Mapping  
 Al Martin, Urban Design Planner  
 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 rezoning request.

  
  

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*Signature of Applicant*

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Division (H. Stouder)	<input checked="" 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 checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	Engineering Mapping		Metro Transit