



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
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July 30, 2009

John Sutton
Sutton Architecture
104 King Street
Madison, WI 53703

RE: Approval to demolish four (4) buildings and rezone the property from R5 (General Residence District) and C2 (General Commercial District) to PUD-GDP-SIP (Planned Unit Development-General Development Plan – Specific Implementation Plan) to allow construction of a mixed-use building with 28 apartments and approximately 9,500 square feet of retail.

Dear Mr. Sutton:

At its July 21, 2009 meeting, the Common Council approved your application to demolish four (4) buildings and rezone the property from R5 (General Residence District) and C2 (General Commercial District) to PUD-GDP-SIP (Planned Unit Development- General Development Plan – Specific Implementation Plan) to allow construction of a mixed-use building with 28 apartments and approximately 9,500 square feet of retail. The following conditions of approval shall be satisfied prior to final approval and recording of the Specific Implementation Plan:

Please contact Janet Dailey, City Engineering Division, at 261-9688 if you have questions regarding the following twenty five (25) items:

1. Provide detail of proposed entrance to underground parking. Said detail must ensure protection from flooding
2. The City of Madison approved address that shall be posted in accordance with Madison General Ordinances is 1902 E. Washington Avenue.
3. 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.
4. Sheet C1 identifies parcel dimensions by undefined curve and course notes. Provide complete parcel dimensions within the appropriate plan sheets
5. 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.

6. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
7. 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.
8. 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.
9. 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.
10. The applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.
11. All work in the public right-of-way shall be performed by a City licensed contractor.
12. 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.
13. 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.
14. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
 - a. Control 40% TSS (20 micron particle) off of new paved surfaces and complete an erosion control plan, and
 - b. 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.Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.
15. 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.
16. 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 names

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

NOTE: Email file transmissions preferred 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.

17. 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).

18. 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.

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. All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.
22. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.

23. 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.
24. 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. 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.
25. 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.

Note: Permit applications for the above are available on line at:
<http://www.cityofmadison.com/engineering/permits.cfm>.

Please contact John Leach, Traffic Engineering Division, at 267-8755 if you have questions about the following six (6) items:

26. 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, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
27. "Stop" and "No Left Turns" signs shall be installed at a height of seven (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.
28. The applicant should design the surface or underground parking areas for stalls and backing up according to Figures II of the ordinance using the 9' or wider stall for the commercial/retail area. The "One Size Fits All" stall shall be used for the residential parking area only, which is a stall 8'-9" in width by 17'-0" in length with a 23'-0" backup. Aisles, ramps, columns, offices or work areas are to be excluded from these rectangular areas, when designing underground parking areas. The applicant shall show the dimensions for proposed and existing parking stalls.
29. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
30. 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.
31. 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 nine (9) items:

32. Meet applicable State Building and State setback ordinances

33. Meet all applicable state accessibility requirements, including but not limited to:
 - a. Provide a minimum of two accessible stalls/ one for surface 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.
 - b. Show signage at the head of the stalls. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
34. Provide one 10' x 35' loading area for the commercial tenant space with 14' vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space. Note: Loading shall be provided per the above requirement, unless the Plan Commission approves a specific loading reduction.
35. Specify in zoning text what the residential element will be. Application states condominiums and zoning text states apartments.
36. Provide 30 bike-parking stalls (28 for the residential use and 2 for the commercial uses) in safe and convenient locations 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.
37. Show addresses on the building and commercial tenant spaces on the final plans.
38. Provide a site plan that shows proposed setbacks to structures as well as the off-street loading areas.
39. Lighting is required. Provide a plan showing a least 0.5 foot candle on any surface on any lot and an average of 0.75 foot candles. The maximum light trespass shall be 0.5 foot candle at 10 ft from the adjacent lot line (See City of Madison lighting ordinance).
40. Sec. 28.12(12)(e) of the Madison Zoning Ordinance 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.

Please contact Scott Strassburg, Madison Fire Department, at 261-9843 to if you have questions about the following two (2) items:

41. 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 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.
 - c. 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.
42. 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 Tom Maglio, Madison Parks Division, at 266-6518 if you have questions about the following two (2) items:

43. The developer shall pay \$40,724.45 in park dedication and development fees for 26 new condo units and 2 new multi-family units, minus credits for the existing 6 mf units and 1 sf unit.
44. The developer must select a method for payment of park fees before signoff on the rezoning.

Please contact Dennis Cawley, Madison Water Utility, at 261-9632 to if you have questions about the following item:

45. This 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. The Madison Water Utility shall be notified to remove the water meters prior to demolition.

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.

Please contact my office at 267-1150 if you have questions about the following eleven (11) items:

46. If conditions of approval are not met, the zoning shall revert back to current zoning.
47. That the applicant shall submit proof of financing. This shall include an executed contract with a construction firm, which provides assurances that the project will be completed once started. Further proof of financing shall be provided indicating the entire cost of the development and all sources necessary to meet these costs. Proof of financing should be provided in a form acceptable to the Director of the Department of Planning and Community and Economic Development prior to the sign-off and recording of the PUD and any permits being issued.
48. That the owner retains the services of an experienced property management company to manage this property. Property management shall include a live-in manager responsible for the site and maintain a permanent sign outside the entrance to the residential units providing the name, address and phone number of the management company. The company shall be approved by the Director of the Department of Planning and Community and Economic Development in consultation with the Building Inspection Division and the City Attorney's Office prior to the issuance of building permits. The Planning Division shall be notified in writing of any change in the management company, with the changes to be approved by the Director.
49. That no demolition permits shall be issued until the PUD is approved, recorded, and that the aforementioned proof of financing and construction contracts are in place as noted in the above condition.
50. That the applicant satisfies the conditions of approval of the Urban Design Commission prior to the final staff approval of the project and the issuance of building permits.
51. That all exterior materials for each building be specified on elevation drawings consistent with the elevations approved by the Urban Design Commission. EIFS should not come in contact with the ground.

52. That Planning Division staff approve the final landscape plan.
53. That the zoning text be amended to remove references to “three-story” maximum building height. Maximum building height shall be as shown on approved plans and be updated to be consistent with the current plans including listed square footages and number of dwelling units.
54. That the applicant provides supplemental information on the proposed level of interior finishes and amenities for each unit, for approval by Planning Division staff.
55. That the applicant records a certified survey map, combining these four parcels into one.
56. That the applicant include four (4) additional pedestrian arcade access points, subject to UDC approval.

Please now follow the procedures listed below:

After the plans have been changed as per the above conditions, please file **eleven (11) 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 267-1150.

Sincerely,

Kevin Firchow, AICP
Planner

cc: Janet Dailey, City Engineering Division
John Leach, Traffic Engineering 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. (Firchow)	<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: