



Department of Planning & Development
Planning Unit

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P.O. Box 2985
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May 3, 2006

Douglas R. Hursh
Potter Lawson, Inc.
15 Ellis Potter Court
Madison, Wisconsin 53711

RE: Approval of a request to amend a previously approved PUD-GDP-SIP (Planned Unit Development, General Development Plan; Specific Implementation Plan) to allow demolition of a two-story commercial building and the construction of a four-story, 45,000 square-foot office building at 601 W. Wilson Street.

Dear Mr. Hursh:

At its May 2, 2006 meeting, the Common Council **conditionally approved** your application to amend an existing PUD-GDP-SIP located at 601 W. Wilson Street. The following conditions of approval shall be satisfied prior to final approval and recording:

Please contact Janet Gebert, City Engineering, at 266-4751 if you have questions regarding the following eighteen (18) items:

1. On March 3, 2006 City Engineering (Eric Pederson) received a request via email to vacate/discontinue a portion of Dow Court. This street vacation/discontinuance must be recorded after Common Council adoption prior to issuance of new building permits.
2. The development will impact the curb and gutter, terrace and sidewalk adjacent to the development and the developer shall be responsible for restoration of streets adjacent to this development in accordance with City Policy. Because the adjacent streets are in poor condition, the City may propose a street reconstruction project if TIF funding is available. In the event that the City is able to undertake a street reconstruction project, the developer shall coordinate their project with the City reconstruction project and shall pay for a portion of the cost of the reconstruction project.
3. 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.

4. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
5. 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.
6. 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.
7. The Applicant shall replace all sidewalk and curb and gutter which abuts the property that 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.
8. 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.
9. 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 WDNR is required.
10. If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane County Register of Deeds.
11. 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) and provide oil & grease control from the first 1/2" of runoff from parking areas.
12. The Applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko). The digital copies shall be drawn to scale and represent final construction, including: building footprints, internal walkway areas, internal site parking areas, and other miscellaneous impervious areas.
13. 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).

14. 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.
15. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
16. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
17. Prior to approval of the project, 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.
18. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.

Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions about the following fourteen (14) items:

19. The approval of this facility does not include the approval of the as proposed improvements in the street right of way. The applicant should remove all proposed improvements in the right-of-way on the site plan sheets or note: "All right-of-way improvements require separate approval by the Board of Public Works and Common Council for the public right-of-way changes to be requested by the developer."
20. The applicant shall enter into a subdivision contract or developer's agreement to accommodate proposed street improvements.
21. The attached streetlight and traffic signal declaration of conditions and covenant shall be executed and returned.
22. The applicant shall execute a waiver of notice and hearing on special assessments for the future traffic signal and associated street improvements at the intersections the City plans to signalize. The traffic signal waiver may also require a deposit for future area traffic signals and associated intersection changes.
23. The developer shall provide a multi-modal traffic impact study and improvement plan for the development to be review and approved by the City Traffic Engineer. Upon the review and approval of the traffic study findings and improvement plan by the City, the developer and the City shall agree upon the improvements, if any, to be made by the developer based on the City Traffic Engineer's review of the

study. If the parties do not agree, the matter shall be referred to the Plan Commission. The developer shall enter into a developer's agreement for this with the City.

Among other things, the study will include an evaluation of the impact of traffic due to the development at the intersections immediately adjacent to the development as well as other intersections that may be impacted. This study should also include an evaluation of existing conditions at the subject intersections for all modes of transportation. The developer should also review driveway and service delivery operations. In addition to conducting a TIS for each next phase of the development, the TIS shall also study and compare the previous phase of development. The developer may also need to submit a deposit or surety for potential mitigation measures for the development which may include new traffic control, signing and marking; new traffic signals, signal phasing and/or signal hardware changes; pedestrian improvements; intersection or street improvements to minimize congestion and accommodate development traffic into and out of the site.

24. When the applicant submits final plans for approval, the plans shall show the following: items in the terrace as existing (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, on a scaled drawing at 1" = 20'.
25. The applicant shall modify the driveway approaches to Dow Court and S. Bedford Street according to the design criteria for a "Class III" driveway in accordance to MGO Section 10.08(4).
26. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
27. A "Stop" sign shall be installed at a height of seven (7) feet at all driveway approaches. 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 ramp down to underground parking percent of sloped shall be designed to accommodate low-clearance vehicles for a transition. Ramp breakover angle (limited by vehicle wheel-base and ground clearance) and angles of approach (affected by front overhang of vehicles) and departure (affected by rear overhang) are critical vehicle clearance points. Standards established by the Society of Automotive Engineers limit the ramp breakover angle to no less than 10 degrees; angle of departure, no less than 10 degrees; and angle of approach, no less than 15 degrees. The applicant shall provide a profile of the ramp showing the slopes critical clearance, when plans are submitted for approval. The applicant should explore ramp slopes (grades) less than 8% that can be blended satisfactorily with an 8-foot transition length. In addition, the applicant shall demonstrate on the plan sheet both ramps cross-section to underground parking for existing Findorff Building and proposed building. In addition, the applicant shall show the ingress & egress ramps with dimensions, turning radiuses into the underground parking areas.
29. The applicant shall show the dimensions for Findorff and proposed building existing and proposed surface and underground parking stalls items A, B, C, D, E, and F, and for ninety-degree angle parking with nine (9) foot wide stalls and backing up, according to Figures II "Medium and Large Vehicles" parking design standards in Section 10.08(6)(b) 2. (If two (2) feet of overhang are used for a vehicle, it shall be shown on the plan.)

30. When site plans are submitted for approval, the developer shall provide a recorded copy of the joint driveway ingress/egress and crossing easements available to all lots in the site.
31. 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.
32. 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 John Lippitt, Madison Fire Department, at 261-9658 if you have questions about the following item:

33. Provide fire apparatus access as required by Comm. 62.0509 and MGO 34.19 as follows:
 - a.) 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;
 - b.) provide a minimum unobstructed width of 26 feet for at least 20 feet on each side of the fire hydrant
 - c.) the site plans shall clearly identify the location of all fire lanes;
 - d.) provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.

Please contact Kathy Voeck, the Assistant Zoning Administrator, at 266-4551 if you have questions regarding the following seven items:

34. The proposed CSM showing the property line between Lots 1 and 2 going through a portion of the Lot 1 building shall be amended to include the underground portion of the building where you enter the underground parking garage and the ramp to get to the garage. The project shall meet applicable State building codes.
35. Meet all applicable State accessible requirements, including but not limited to:
 - a.) Lot 1: Provide a minimum of **five** accessible stalls and 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.) Lot 2: Provide a minimum of **three** accessible stalls and 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.
 - c.) Show signage at the head of the stalls.
 - d.) Show the accessible path from the stalls to the building or elevator in the garage.
Note: The stalls shall be as close to the accessible entrances as possible.
36. Provide two 10' x 35' loading areas (one on each lot) with 14 feet vertical clearance to be shown on the plan. The loading areas shall be exclusive of drive aisle and maneuvering space.
37. Provide 15 bike parking stalls on Lot 1 and 13 bike stalls on Lot 2 in safe and convenient locations on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. 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.

38. In amended PUD-GDP-SIP zoning text, include the Findorff statistics also as this is all part of the original GDP-SIP. Signage in the text shall be allowed as per Chapter 31 of the Madison General Ordinances as it applies to the C-2 and as approved by the Urban Design Commission and zoning.
39. Provide a detailed landscape plan. Show species and sizes of landscape elements. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15 feet and 20 feet of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.)
40. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards. (See parking lot packet) Lighting will be limited to .08 watts per square foot.

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

41. That the National Conference of Bar Examiners execute an agreement with the City of Madison to make a payment reflecting the value of municipal services provided to the proposed development on this site. The agreement shall be approved by the Common Council in fulfillment of the criteria for Planned Unit Development districts.
42. That the applicant develop a plan for the north facade involving either an architectural treatment, landscaping or both subject to the approval of the Planning Unit director.
43. That the applicant work with the Planning Unit to address the location and orientation of building entrance.

A reuse and recycling plan approved by the Recycling Coordinator is required by ordinance prior to the recording of the PUD and issuance of a wrecking permit.

Approval of 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 as per the above conditions, please file **eight (8) 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: Kathy Voeck, Asst. Zoning Administrator
- Janet Gebert, City Engineering
- John Leach, Traffic Engineering
- John Lippitt, Madison Fire Department

For Official Use Only, Re: Final Plan Routing/ Reuse-Recycling Routing			
<input checked="" type="checkbox"/>	Planning Unit (T. Parks)	<input type="checkbox"/>	Madison Water Utility
<input checked="" type="checkbox"/>	Zoning Administrator	<input 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 Coordinator (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Metro Transit
<input type="checkbox"/>	CDBG Office	<input type="checkbox"/>	Other: