



Department of Planning & Development  
**Planning Unit**

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

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July 20, 2005

Thomas Miller  
The Alexander Company, Inc.  
145 East Badger Road, Suite 200  
Madison, WI 53713

SUBJECT: 309-333 West Washington Avenue – “Capitol West”

Dear Mr. Miller:

The Common Council, at its July 19, 2005 meeting, conditionally approved your application for rezoning from PUD-GDP-SIP to Amended PUD(GDP-SIP) for property located at 309-333 West Washington Avenue and 306 West Main Street.

The conditions of approval are:

**PLEASE CONTACT JOHN LEACH, CITY TRAFFIC ENGINEERING, AT 266-4761 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING SEVENTEEN ITEMS:**

1. The City-County radio systems (911, etc.) managed by the City use microwave directional paths to remote towers Countywide. If a building's location and height impact these paths, the development may be required to make accommodations for the radio systems. Exact elevation plans will need to be reviewed by the Traffic Engineer to determine any impacts and accommodations. The applicant will need to submit grade elevation plans prior to sign-off to be reviewed and approved by Keith Lippert, (266-4767) Traffic Engineering Shop, 1120 Sayle Street. In this case, if the building is 13 floors, with an exact elevation to be determined, the City Communications office will need to relocate the County's microwave dish higher at a cost of about \$15,000. If the building is higher than 13 floors (exact elevation still needed), we need to move the City's dish higher and make other associated changes at cost of about \$197,000. Based on our consultations with the Attorney's Office, any costs would be developer related costs.
2. That no residential parking permits will be issued to market rate units in this phase of development. The applicant shall inform all owners and/or tenants of this facility of this requirement in their condominium documentation, apartment leases and zoning text. However, all designated inclusionary dwelling units shall be eligible for residential parking permits according to the inclusionary zoning ordinance. The applicant shall provide addresses and apartment numbers for designated inclusionary dwelling units, eligible for residential parking permits to the City Traffic Engineer/Parking Manager. The applicant shall note in the zoning text the inclusionary zoning dwelling units.

3. If parking to the general public is approved, provision shall be made to ensure that parking rates in the commercial project are coordinated with those in City facilities.
4. The applicant shall not improve the right-of-way as proposed unless encroachment is approved by City of Madison Real Estate Division prior to plans being submitted for approval. Contact City Real Estate if you have questions.
5. 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 and across the street, 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'.
6. The applicant shall submit ramp plan sheets comply with M.G.O. The plan sheets shall total number of provided and required parking spaces.
7. All existing driveway approaches that are to be abandoned shall be removed and replaced with curb and gutter and noted for phase one or two on the plan.
8. The applicant shall show the dimensions for existing and proposed surface/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.
9. The street type approaches shall be a special design "Street Type Entrance." The applicant shall provide a detail 1" = 20' detail drawing of the "Street Type Entrance" with plan sheets showing epoxy lane lines, crosswalks, stop bars and pavement markings details to be approved by the City Traffic Engineer. In addition, a note shall be shown on the plan, "ALL PAVEMENT MARKING SHALL BE INSTALLED IN EPOXY AND MAINTAINED BY THE PROPERTY OWNER."
10. "Stop" and "Right Turn Only" signs shall be installed behind the property line for West Washington Avenue and Broom Street approaches. Additional signs as "Do Not Block Sidewalk" shall be required behind the property line for all approaches. "Do Not Enter" and "One Way" signs shall be installed in the facility to secure the traffic operation at access points and traffic flow in site. "Ramp Full" signs shall be installed at the entrances to advise vehicles do not pull in and back onto the street or block street. The applicant shall install mirrors at the exit points where vision is blocked by an obstruction. All guide signage shall be shown on the plans. The applicant shall show all signs and pavement markings on the plan.
11. The driveway from the garage door to the street right-of-way shall be modified to provide for two-way operations at a minimum width of eighteen (18) feet in accordance with M.G.O. 10.08(6)(a)4. Contact City Traffic Engineering if you have questions.
12. The applicant shall submit with the parking lot plans a letter of operation of the type of ingress/egress control to the ramp and load dock area; a detail drawing of the areas showing queuing of at least three vehicles or two vehicles if gates or doors are closed from any approach that cars will not be blocking the sidewalk to the ramp. The applicant shall submit detail drawing of the ingress/egress areas showing signs, control devices, gates, and/or garage doors.

13. The applicant shall execute a modified waiver of notice and hearing on special assessments for future traffic signals, street lights and associated street improvements. The traffic signal waiver may also require a deposit for future area traffic signals and associated intersection changes.
14. The applicant shall remove, replace, and adjust street light poles on Broom Street, South Henry Street, Main Street and West Washington Avenue adjacent to this project. The applicant shall install underground street lighting and communication conduit on Broom Street adjacent to this project. The applicant shall pay a deposit for the estimated costs to the City for time and materials associated with the above work.
15. The proposed location of the truck loading and trash enclosure should be designed to accommodate truck service on-site that all trucks should be ingressing/egressing in a forward manner. The applicant shall note that Madison General Ordinance 10.08(a)6 requires all facilities to have adequate internal circulation in which no backing movement, except that required to leave a parking stall, is allowed. All parking facilities shall be designed so as not to utilize any portion of the public right-of-way except to permit ingress and egress in a forward manner: unless permitted by the Board of Public Works after the Board receives the recommendation of the City Traffic Engineer. This condition shall be approved prior to plans being submitted for approval, contact City Traffic Engineering for detail. Traffic Engineering staff will require a formal letter requesting the right to back off the street, (type of vehicles, reasons, hours of operation of the truck, etc.) and the applicant shall provide a 1" = 20' scale drawing and a drawing on an 8" by 11" sheet showing parking, parking stalls, pavement markings, type of truck turning and both sides of the street. If recommended by the City Traffic Engineer, staff will facilitate the approval of the Board of Public Works.
16. The developer shall post a deposit or reimburse the City for all costs associated with any modifications to Street Lighting, Signing and Pavement Marking including labor and materials for both temporary and permanent installations.
17. 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 GARY DALLMANN, CITY ENGINEERING, AT 266-4751 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING TWENTY-ONE ITEMS:**

18. Street names and addresses need approval – Capitol Court – Capitol Court Mews – Washington ROW – all are unacceptable names. Capitol Court exists, Mews & ROW are invalid suffixes.
19. Upon securing ownership of all lands included in this development, Alexander Company shall submit for City approval, and record, a certified survey map which subdivides the land consistent with this plan.
20. Prior to approval, provide calculations of sanitary sewerage flow projections to the City Engineer. Approval shall be withheld until it is determined that capacity is available or the development agrees (Developer Agreement) to increase the capacity were needed.
21. 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 Acknowledgment prior to the City Engineer signing off on this project.

22. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
23. The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
24. The site plan shall identify the difference between existing and proposed impervious areas.
25. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
26. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
27. 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 the 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.
28. The applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. 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.
29. The applicant shall replace all sidewalk and curb and gutter abutting the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
30. 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.
31. All work in the public right-of-way shall be performed by a City licensed contractor.
32. The site plans shall be revised to show the location of all rain gutter downspout discharges.
33. 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.
34. 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.
35. The applicant shall submit, prior to plan sign-off, digital CAD files to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital copies shall be to scale and represent final construction.

CAD submittals can be either AutoCAD (dwg), MicroStation(dgn) or Universal (dxf) formats and contain 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.)

Note: Email file transmissions preferred: [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com)

36. 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.
37. All outstanding Madison Metropolitan Sewerage District (MMSD) sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.
38. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size and alignment of the proposed service.

**PLEASE CONTACT KATHY VOECK, THE ASSISTANT ZONING ADMINISTRATOR, AT 266-4551 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING ELEVEN ITEMS:**

39. In the zoning text, the letter of intent and plans shall be consistent. The text and plans shall identify the number of dwelling units which will be in each building. Also, show gross square footage of retail and residential.
40. In the zoning text, in regard to permitted uses, “those uses that are stated in the residential district,” identify which zoning district, and in the “office zoning” identify which office district.
41. In the zoning text, uses shall be listed in the zoning text, even if in the letter of intent.
42. In the zoning text, “signage will be allowed as per Chapter 31 of the Madison General Ordinances,” add “as it relates to the C2 district.”
43. Meet all applicable State accessible requirements including, but not limited to:
  - a. Provide accessible stalls striped and in the amount as required by the State. A minimum number of the stalls shall be van accessible stalls 8’ wide with an 8’ striped out area adjacent.
  - b. Show signage at the head of the stalls.
  - c. Show the accessible path from the stalls to the building or elevator, if in a parking garage.
  - d. Show dimensions on the stalls and drive aisles.
  - e. Show curbs/wheel stops, and/or ramps where required.

44. Section 28.04(24) provides that Inclusionary Zoning requirements shall be complied with as part of the approval process. Submit to Zoning a copy of the approved plan for recording prior to Zoning sign-off of the plat.
45. Show the maximum height on the elevation of the building elevation per City Datum. The buildings shall not exceed 187.2-feet City Datum.
46. Provide 85 bike-parking stalls for the 112-units and 4 stalls for the commercial portion of the building at 309 West Washington Avenue. Provide one stall for each unit in a residential building up to 50 stalls and half a stall for the number of stalls over 50 for the remaining residential buildings or portions of buildings. Provide one bike parking stall for each 10 car stalls that would be required for any commercial or office spaces. (Note: Car parking requirements would be one stall per each 300 square feet of gross floor area. Even though car parking is not required, bike parking is required per the amount that would be required if it were.) The bike parking stalls shall be in a safe and convenient location 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: Bike stalls shall be a minimum dimension of 6' x 2' with a 5' access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices. Note: The bike rack shown in the 141 West Washington Row parking level does not meet the stall and access dimensions adequately.
47. Provide 3 (10' x 35') loading areas with 14' vertical clearance to be shown on the plan for 309 West Washington Avenue. The loading areas shall be exclusive of drive aisle and maneuvering space. (Two for residential portion of the building and one for the commercial portion of the building.)
48. 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.
49. Lighting plans are required for this project. Provide a plan showing at least .25 footcandle on any surface of the lot and an average of .75 footcandles. (See City of Madison lighting ordinance.)

**PLEASE CONTACT BRAD MURPHY OR BILL ROBERTS OF THE PLANNING UNIT STAFF AT 266-4635 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING TWENTY-ONE ITEMS THAT WERE AMENDED BY THE PLAN COMMISSION:**

50. The SIP shall not be signed-off and recorded until the SIP for the Broom Street Lofts are approved by the Common Council.
51. The condominium area shall include a fitness center and concierge desk and be provided as part of the first phase building, unless waived by the Plan Commission. Condominium Common Areas including a community room shall be provided for in Phase II SIP and shall be made available to the homeowners in Phase I.
52. The pedestrian walkway bridge as shown on the approved GDP over Washington Row and parking area shall be a condition of approval for any SIP addressing construction at 333 West Washington Avenue.

53. All street lighting on each of the block faces, which have not yet been replaced, shall be modified as part of this project to incorporate Bassett Neighborhood Pedestrian Streetlight Standards and West Washington Avenue light standards.
54. Any modification to the pedestrian walkway extending from South Henry Street through the Capitol Court Mews and between 345 West Washington Avenue and the existing parking garage to South Broom Street that would restrict public access shall be considered as a major alteration to the PUD-SIP. Such modifications shall require approval by the Plan Commission at a public hearing.
55. All trash and recycling containers shall be located within enclosures.
56. As part of the Phase I construction the drive access from West Main Street to the new parking garage shall be designed, to the extent possible, to be wide enough to allow for parking large delivery vehicles and tractor trailer type moving vans without blocking the sidewalk or the street. As part of a future phase that constructs the building at 306 West Main Street, provisions shall be made to accommodate this same delivery parking area within the building structure. The overall delivery service capacity will be reviewed and approved by Traffic Engineering.
57. Air conditioning condensers for the West Main Street townhomes shall be located inside the parking structure adjacent to the townhomes where feasible.
58. A construction staging and parking plan shall be submitted and approved by the Traffic Engineer that minimizes cut-through traffic by construction vehicles on the residential streets of the Bassett Neighborhood west of Broom Street (specifically West Main Street, West Doty Street and West Wilson Street) for the duration of Phase I.
59. The Madison Environmental Group reuse and recycling plan shall be part of this approval.
60. The applicant shall provide a detailed diagram showing location and quantity of bicycle parking for residents within parking and/or storage spaces. The total quantity of bicycle parking spaces for residents shall be equal to the number of bedrooms in the dwelling units to be constructed.
61. Details of the rain catchment system for all components of Phase I shall be provided prior to issuance of building permits for this phase.
62. A bicycle ramp shall be provided as part of the grand stairs from Washington Row to the Capitol Mews.
63. All rooftop mechanicals shall be screened in a method acceptable to the Urban Design Commission.
64. The landscaping plans shall be modified to include provision of additional trees in the street terrace, and that the plans be revised to include a plan for protection of existing trees within the street terrace. (Planting in the right-of-way shall be subject to the prior approval of the City Forester.)
65. Installation of pedestrian scale street lighting that has been installed elsewhere in the (Bassett) neighborhood shall be included as part of each phase of construction as it is completed.
66. Inclusionary Zoning waiver option A2 shall be adopted subject to approval of the Broom Street lofts. The final Inclusionary Dwelling Unit Plan and associated documents shall be approved by the CDBG Office prior to recording of the SIP.

**PLEASE CONTACT SI WIDSTRAND, CITY PARKS DIVISION, AT 266-4711 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING FOUR ITEMS:**

- 67. The developer shall pay \$263,321.49 for park dedication and development fees.
- 68. Park Fees shall be paid prior to SIP sign-off, or the developer may pay half the fees and provide a letter of credit for the other half.
- 69. Calculation of fees in lieu of dedication plus park development fees:

Park dedication = (159 multi-family @ 700 square feet/unit) = 111,300 square feet. The developer shall pay a fee in lieu of dedication based on the land value of the square footage of parkland required (up to a maximum of \$1.65/square foot).

|                                          |   |                    |
|------------------------------------------|---|--------------------|
| Fee is                                   |   | \$183,645.00       |
| Park Development Fees + (159 @ \$501.11) | = | <u>\$79,676.49</u> |
| TOTAL PARK FEES                          | = | \$263,321.49       |

- 70. 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 at 266-4816.

**PLEASE CONTACT JOHN LIPPITT, MADISON FIRE DEPARTMENT, AT 266-4484 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING FIVE ITEMS:**

- 71. The fire lanes shown on the site plans do not comply with Comm 62.0509, and/or MGO Chapter 34; the owner must revise the plans or apply for and receive approval of a Petition for Variance from the Board of Building Code, Fire Code and Licensing Appeals prior to construction of the project. If the Board does not approve the Petition for Variance, then the owner must submit a new application for approval of revised plans.
- 72. 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, for Washington Row.
  - b. Provide a fire lane that extends to within 150-feet of all exterior portions of the structure.
- 73. Ensure that construction complies with Chapters Comm 61-65 for setbacks, class of construction, protected openings, and sprinkler fire protection, based on proposed proximity and exposure to adjoining structures.
- 74. 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 lay's off the truck. See MGO 34.20 for additional information.
- 75. The site plans shall clearly identify the location of all fire lanes.



**THE COMMON COUNCIL ADDED THESE CONDITIONS AT THEIR JULY 19, 2005 MEETING:**

76. All encroachments into the public rights-of-way including the above grade balcony encroachments into West Washington Avenue shall be considered by the City's Privilege in Streets Committee and approved by the Common Council through approval of a lease or similar vehicle.
77. Curb cuts into the street terrace along West Washington Avenue shall be limited to driveways only. The terrace shall not be allowed to be used for parking or loading of vehicles. In coordination with City Departments, loading zones may be established at points along the curb in conjunction with building entrances.

Approval of the SIP 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. The trees shown in the street rights-of-way shall not be shown on the sign-off plan or construction plans unless they have previously been approved by the City Forester. If these are existing street trees or species and locations that have been approved by the Forester, they shall be so labeled on plans.

After the plans have been changed as per the above conditions, please file ten (10) sets of the complete site plans, building elevation and floor plans 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.

When these conditions have been satisfied, bring in the revised plan originals to obtain signatures on the cover sheet from the following reviewing departments: City Engineering, Traffic Engineering, Zoning and Planning. After this is accomplished, submit the final plans and documents for recording to the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard.

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 (30) months of Common Council approval of the General Development Plan or within eighteen (18) months of the recording of the Specific Implementation Plan, whichever is less, the basis right of use for the areas, when in conformity with the approved Specific Implementation Plan, shall lapse and be null and void unless the project, as approved, is commenced by the issuance of a building permit. If a new building permit is required pursuant to Sec. 28.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain Specific Implementation Plan approval.

**If you have any questions regarding recording this plan or obtaining permits, please call Kathy Voeck or Matt Tucker, Zoning Administrator, at 266-4551.**

Sincerely,

Mark A. Olinger  
Director, Department of Planning and Development

c: Zoning Administrator  
City Engineering  
Traffic Engineering

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| Zoning<br>Traffic Engineering<br>City Engineering<br>CDBG – Hickory Hurie<br>Planning – Bill Roberts<br>UDC – Al Martin<br>Fire Department<br>Parks Department<br>Water Utility |
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