



Department of Planning & Development
Planning Unit

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May 17, 2006

Andrew Inman
Vierbeicher Associates, Inc.
999 Fourier Drive, Suite 201
Madison, Wisconsin 53717

RE: Approval of a request to rezone 2810-2818 Todd Drive and 2703-2805 West Beltline Highway from Temp. A (Agriculture), C2 (General Commercial District) and C3 (Highway Commercial District) to Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow the construction of a four-story commercial building containing 22,650 square feet of first floor retail space and 69,015 square feet of office space following demolition of approximately six buildings.

Dear Mr. Inman:

At its May 16, 2006 meeting, the Common Council **conditionally approved** your application for rezoning property located at 2810-2818 Todd Drive and 2703-2805 W. Beltline Highway from Temp. A, C2 and C3 to PUD-GDP-SIP. 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 sixteen (16) items:

1. Plan shall be updated to reflect new sanitary sewer alignment on Todd Drive. Please contact Mark Moder at 261-9250 for latest utility information (sanitary).
2. The new driveway located just east of 2205 W. Beltline Highway (existing building at west end of project) will not be possible as proposed. The existing sidewalk is approximately 2.5 feet above the street and the resulting driveway apron slope is too steep. The developer shall either move the driveway or reconstruct the sidewalk to a lower elevation. If the grade is lowered at this location, the grade of the parking lot will need to be redesigned.
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 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.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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).
11. 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.
12. 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.
13. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
14. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
15. 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.

16. 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 ten items:

17. The attached streetlight declaration of conditions and covenant shall be executed and returned.
18. The applicant shall contact the Department of Planning and Development to comply with MGO Section 16.23(3)(d) – Highway Noise Land Use Provisions policies and ordinances.
19. 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'.
20. "Stop" signs shall be installed at a height of seven (7) feet at the 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.
21. The intersection shall be so designed so as not to violate the City's sight-triangle preservation requirement which states that on a corner lot no structure, screening, or embankment of any kind shall be erected, placed, maintained or grown between the heights of 30 inches and 10 feet above the curb level or its equivalent within the triangle space formed by the two intersecting street lines or their projections and a line joining points on such street lines located a minimum of 25 feet from the street intersection in order to provide adequate vehicular vision clearance.
22. 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.)
23. The parking facility shall be modified to provide adequate internal circulation for vehicles. This can be accommodated by eliminating a parking stall at the dead ends. The eliminated stall shall be modified to provide a turnaround area ten to twelve feet in width and signed "No Parking Anytime."
24. The applicant shall modify the driveway approaches according to the design criteria for a "Class III" driveway in accordance to MGO Section 10.08(4).
25. 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.
26. 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 two items:

27. Fire apparatus unable to make turn onto 26'-wide fire lane from east entrance. Adjust curb to allow minimum 28-foot radius turn per Comm. 62.0509.
28. 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 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 nine items:

29. Site plans shall show dimensions of stalls, drive aisles, buildings, and setbacks from the buildings to the property lines.
30. Meet all applicable State accessible requirements, including but not limited to:
 - a.) Provide a minimum of **nine** 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.) Show signage at the head of the stalls.
 - c.) Show the accessible path from the stalls to the buildings.
31. Provide three 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. Provide **one** 10' x 35' loading area for the existing 31,300 sq. building. The loading areas shall be exclusive of drive aisle and maneuvering space. (Two for retail uses and one for office uses in the new building.)
32. Provide 43 bike parking stalls 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. **Note:** Up to 21 of the stalls may be deferred until such time as they may be needed. Land area required for provision of deferred bicycle parking spaces shall be maintained in reserve and shown on the plan.
33. Parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. 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 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.) Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch or other non-vegetative cover. All plant materials in islands shall be protected from vehicles by concrete curbs.
34. Provide six to eight-foot high screening between this property and residentially zoned properties adjacent.
35. Address signage in the zoning text as allowed in Chapter 31 of the Madison General Ordinances as compared to the C-2 district. Signage must be approved by the Urban Design Commission and Zoning. The Zoning Section of the Department of Planning and Development must issue sign permits prior to sign installations.
36. In the zoning text, under statement of purpose, there is mention of living environment within the development. It is our understanding that the uses will be office and commercial uses as allowed in the C2.

If there is a residential component that may be proposed, depending on the number of units, inclusionary zoning requirements may need to be met. If no residential units are proposed, maybe the text should say working environment instead. Under the permitted use section of the text, permitted uses in the C2 would allow residential components in the building so the text shall be revised to say "commercial uses as permitted in the C2 and O1 zoning districts." The verbiage "Such leaseable spaces can be rented or owner-occupied" should include "commercial condominiums" to not imply that they can be owner occupied dwelling units.

37. 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 .10 watts per square foot.

Please contact Tim Sobota, Metro Transit, at 261-4289 if you have questions about the following three items:

38. The developer shall install and maintain a bench or other seating amenity and a trash receptacle on the south side of the Frontage Road, west of Todd Drive. These amenities should be located on property side of the sidewalk, immediately west of the curb ramp and crosswalk leading north across the Frontage Road.

39. The developer shall include the location of these passenger amenities on the final documents filed with their permit application so that Metro Transit may review and approve the design.

40. Metro Transit operates bus service seven days a week along the Frontage Road between Seminole Highway and Todd Drive. The State Highway project requires the relocation of bus stops in this vicinity – and will be including a concrete passenger-boarding pad adjacent the curb ramp for a new bus stop at the location of the amenities requested above.

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

41. That the zoning text be revised per Planning Unit approval as follows:

- a.) the list of permitted uses should be clarified to state that all non-residential uses as allowed in the C2 and O2 zoning districts;
- b.) the floor area ratio (FAR) and off-street parking sections should be revised to state: "As shown on the attached plans;"
- c.) the signature line, notary statement and whereas clauses should be removed from the zoning text;
- d.) the zoning text should be submitted in the letter format (8 ½ X 11 inch, portrait).

42. That a note be placed on the building plans stating that the proposed four-story mixed-use building will be designed so that traffic-induced interior noise levels will not exceed 52 decibels.

43. That an elevation and materials palette for the decorative security fence proposed along the southern and western property lines be submitted for Planning Unit approval prior to recording.

44. That a direct pedestrian connection be provided from the Sergenians building to the Beltline Highway frontage road sidewalk.

45. That all site and floor plans for this project be clearly labeled and dimensioned. For example, the plans submitted for review lacked sufficient detail on drive widths, circulation patterns, loading areas, setbacks from adjacent property lines and the widths of landscaping terraces.

46. That recording of the PUD-GDP-SIP and issuance of demolition permits not occur until all of the properties are under the ownership of LG1, LLC or its successors and assigns.

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.

The developer shall contact the Madison Water Utility separately to have water meters removed prior to demolition. For information, please contact Dennis Cawley at the Madison Water Utility at 266-4651.

After the plans have been changed as per the above conditions, please file **ten (10) 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
Tim Sobota, Madison Metro Transit

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 checked="" type="checkbox"/>	Metro Transit
<input type="checkbox"/>	CDBG Office	<input type="checkbox"/>	Other: