



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

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

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October 1, 2013

John Sutton  
Sutton Architecture  
104 King Street  
Madison, WI 53703

RE: **425 West Washington Avenue:** Approval of a demolition permit, conditional use, and zoning map amendments to allow the demolition of an existing medical clinic for the purpose of constructing a five-story mixed use building with 50 apartment units and approximately 7,700 square feet of commercial space.

Dear Mr. Sutton:

At its September 17, 2013 meeting, the Common Council approved your client's application for a Zoning Map Amendment for 425 West Washington Avenue from the DR-2 (Downtown Residential -2) and UMX (Urban Mixed Use) District to the UMX District. The Council also approved a zoning map amendment to establish an above-grade maximum building setback of 25 feet. A demolition permit for the subject property and a conditional use for an additional story of height were approved by the Plan Commission at their September 16, 2013 meeting. The following conditions of approval shall be satisfied prior to final approval and sign-off of the plans and the issuance of permits.

**Please contact Janet Dailey, City Engineering Division, at 261-9688 if you have questions regarding the following twenty-one (21) items:**

1. Applicant shall provide information on how offsite drainage shall be accommodated to pass through the site.
2. Provide additional drainage detail for underground parking entrance. Proposed plan must demonstrate protection from the 100-year flood with design by a Professional Engineer.
3. Sanitary sewer plugging note on Page C1.4 is out of date. Remove note or replace note with the current, correct requirements.
4. The proposed new building will cross underlying platted lot lines. Current State building code and City enforcement requires the underlying platted lot line be dissolved by Certified Survey Map (CSM) prior to issuance of a building permit. A CSM will better memorialize the existing property boundary and title which is a direct benefit to the property owner. Have a CSM prepared for submittal to City Planning. The CSM shall be approved by the City and recorded with the Dane County Register of Deeds prior to issuance of a building permit.

5. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass. (POLICY)
6. Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation. The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. (MGO 16.23(9)(d)) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
7. 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. (POLICY)
8. The applicant shall provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system. (POLICY)
9. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01)
10. All damage to the pavement on W. Washington Avenue, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)
11. The site plans shall be revised to show the location of all rain gutter down spout discharges. (POLICY)
12. 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.
13. For commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, 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. (NOTIFICATION)
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) Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management; b) Provide oil & grease control from the first 1/2" of runoff from parking areas; and c) Complete an erosion control plan and 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.
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. (POLICY)

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

NOTE: Email file transmissions preferred [lzenchenko@cityofmadison.com](mailto:lzenchenko@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. (POLICY and MGO 37.09(2) & 37.05(4))

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. (POLICY and MGO 37.09(2)) 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, and 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... and d) Sediment loading calculations.

19. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))

20. 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. (MGO 16.23(9)(d)(4))

21. 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. (POLICY)

**Please contact Eric Halvorson, Traffic Engineering Division, at 266-6572 if you have questions regarding the following five (5) items. Note that condition #26 was added by the Common Council at their September 18 meeting after recommendation by the Plan Commission.**

22. The applicant shall provide a 10 ft clear visibility triangle from all driveway exits on West Washington Avenue to insure adequate sight distance of pedestrians on the sidewalk. These vision triangles shall be shown on the final plans. If the planters are located within the site triangle, applicant shall show planters and plants do not exceed 30" in height.

23. When the applicant submits plans for approval, the applicant shall show the following on one contiguous plan: existing items in the terrace (e.g., signs and street light poles), type of surfaces, percent of slope, existing and proposed property lines, addresses, all easements, all pavement markings, building placement, adjacent driveway approaches to lots on either side and across the street, signage, semitrailer movements and vehicle routes, dimensions of radii, aisles, driveways, parking stall dimensions including the two (2) feet overhang on a scaled drawing at 1" = 20'. Contact City Traffic Engineering if you have questions.
24. 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/handholes, including labor, engineering and materials for both temporary and permanent installations.
25. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.
26. A condition of approval shall be that no residential parking permits will be issued for 425 W. Washington Avenue, which would be consistent with other projects in the area. In addition, the applicant shall inform all tenants in the apartment leases. The applicant shall submit for 425 W. Washington Avenue a copy of the lease noting the above condition in the lease when submitting plans for City approval.

**Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have questions regarding the following eight (8) items.**

27. Revised plans have been submitted reflecting a change to the required for setback and subsequently modifying the rear yard setback, to be approved as part of the rezoning request.
28. Sec. 28.185 (7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Mr. George Dreckmann. (608-267-2626).
29. Sec. 28.185 (10) Every person who is required to submit a reuse and recycling plan pursuant to Sec. 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
30. Bike parking shall comply with City of Madison General Ordinances Section 28.141(4) and 28.141(11). NOTE: required percentages of long and short-term bike parking must be provided for the uses per sec. 28.141(4). Provide a detail of the bike rack to be installed.
31. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.
32. Provide detail confirming the 90% lot coverage limitation for this development.
33. Useable open space shall be clearly shown on final plans. Sec. 28.076 (3) (c) provides that useable open space may take the form of at-grade open space, porches, balconies, roof decks, green roofs or other above-ground amenities. UMX requires 10 sq. ft. per bedroom, of the total amount 75% may be on roof decks and balconies and a minimum of 25% at ground level pursuant to sec. 28.140. Call out and dimension UOS on final plans.

34. Project must comply with all design requirements in Sec 28.071. Please provide evidence showing compliance with door/window opening requirements found in subsection (e).

**Please contact Kay Rutledge, Madison Parks Division, at 266-4714 if you have questions regarding the following six (6) items. Note that condition was 40 was modified by the Common Council at their September 17, 2013 meeting after recommendation by the Plan Commission. The approved condition is below.**

35. The developer shall pay approximately \$117,670.00 for park dedication and development fees for the new 50 MF unit development.
36. The developer must select a method for payment of park fees before signoff on the demolition permit and/or rezoning.
37. This development is within the Vilas-Brittingham park impact fee district (SI27). Please reference ID# 13145 when contacting Parks about this project.
38. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Please submit an existing inventory of trees (location, species, & DBH) and a tree removal plan (in PDF format) to Dean Kahl – [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
39. Pruning of trees or shrubs on City property is not permitted without prior written approval from City Forestry.
40. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the entire terrace area between the curb and sidewalk, including the adjacent area between the driveways at 425 and 433 W. Washington Avenue. No excavation is permitted within the terrace area. If excavation within the terrace area is necessary, the contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in Section 107.13 of City of Madison Standard Specifications for Public Works Construction."

<http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>.

**Please contact Bill Sullivan, Madison Fire Department, at 261-9658 to if you have questions regarding the following two (2) items:**

41. Provide fire apparatus access as required by IFC 503 2009 edition, MGO 34.503, as follows:
- a. IFC 503 Appendix D105, 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 and not closer than 15 feet from the structure, and parallel to one entire side of the structure, if any part of the building is over 30 feet in height.
42. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Capt Ron Blumer (608) 558-4198.

**Please contact my office at 267-1150 if you have questions regarding the following seven (7) items. Note that Conditions 46-48 were added by the Common Council at their September 17 meeting after recommendation by the Plan Commission.**

43. That the above-grade front setback be increased to match that of the adjacent wood-frame structures to the east (This setback is to the home and not porches). Staff estimates this will require moving the building back approximately 5-6 feet. Specific legible dimensions shall be provided for staff approval. Note, this will require a specified setback line be established as part of the rezoning. (A specified maximum setback line was approved by the Common Council after recommendation by the Plan Commission.
44. In establishing the front yard setback, this condition acknowledges that underground parking can be allowed between the building and the front property line, as shown on approved plans. This parking shall be completely underground. Above-grade setbacks shall be as shown on the approved plans.
45. Details between the site, landscape, and perspective renderings shall be made consistent.
46. Prior to the staff sign-off of plans and the issuance of permits, the applicant shall return to the Urban Design Commission for final approval of the planting plan, lighting plan and garage details as specified in their report of September 11, 2013.
47. Final plans submitted for staff review and approval shall include a roof garden and terrace management plan. The plan shall include issues of amplification, hours of operation and security.
48. Final plans submitted for staff review and approval shall include a trash and recycling management plan, and adequate dedicated space to accommodate trash and recycling generated by the commercial and residential tenants. The intended pathway from the trash area to collection vehicles shall be indicated in final plans

**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.**

**No interior, exterior or structural demolition or wrecking activities or remodeling activities (including material reclamation activities by the applicant or a third party) shall commence nor any wrecking or building permits be issued until the applicant has met all of the conditions of approval stated in this letter.**

**Please now follow the procedures listed below:**

1. Please revise your plans per the above conditions and submit eleven (11) copies of a complete, fully dimensioned and scaled plan set to the Zoning Administrator for final review and comment. Also be sure to include any additional materials requested by these departments for their approval prior to sign off. The final site plan shall be accompanied by the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, 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 final approval.

2. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting demolition and/ or building permit approval.
3. Provide a reuse/recycling plan, to be reviewed and approved by the City Recycling Coordinator prior to a demolition permit being issued. Sec 28.12(12)(e) of the 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.
4. The Madison Water Utility shall be notified to remove the water meters prior to demolition. 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 Water Utility will not need to sign off the final plans, and will not need a copy of the approved plans.
5. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. This approval shall become null and void one (1) year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within six months of the issuance of said building permit. Where the plans have not been altered from the Plan Commission's approval, and the conditional use has expired, the Director of Planning and Community and Economic Development, after consultation with the Alderperson of the District, approve an extension for up to twenty-four (24) months from the expiration date. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

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  
 Eric Halvorson, Traffic Engineering Division  
 Bill Sullivan, Madison Fire Department  
 Pat Anderson, Zoning  
 Kay Rutledge, Parks Division

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:

I hereby acknowledge that I understand and will comply with the above conditions of approval for this conditional use.

\_\_\_\_\_

*Signature of Applicant*

\_\_\_\_\_

*Signature of Property Owner (if not the applicant)*