



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985
TDD 608 266-4747
FAX 608 266-8739
PH 608 266-4635

April 15, 2010

Doug Hursh
Potter Lawson, Inc.
15 Ellis Potter Court
Madison, WI 53711

RE: Approval to demolish the existing Gordon Commons facility and to rezone the property, 717 West Johnson Street, from PUD-SIP (Planned Unit Development-Specific Implementation Plan and R6 (General Residence District) to R6 to construct a new Gordon Commons facility and a park

Dear Mr. Hursh:

At its April 13, 2010 meeting, the Common Council **approved** your request to demolish the existing Gordon Commons facility and to rezone 717 West Johnson Street from PUD-SIP (Planned Unit Development-Specific Implementation Plan and R6 (General Residence District) to R6 to construct a new Gordon Commons facility and a park. In order to receive final approval of the rezoning, demolition permit, and conditional use, the following conditions must be met and this letter signed and returned to the Zoning Administrator.

Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following nineteen (19) items.

1. NOTE: The approved address that shall be used for this proposed site plan build out is 770 W. Dayton St.
2. City/Developer agreement shall include all utility work (storm, sanitary, water) within the public right-of-way.
3. Clearly show the existing property lines on drawings.
4. The proposed plan shall require easements, encroachment and/or maintenance agreements for sidewalks constructed and the existing right-of-way lines and on private property. The proposed sidewalk and terrace plan, if not addressed, will make it difficult for the City to maintenance the sidewalk. This issue shall be resolved prior to the issuance of any permits for work in the right of way.
5. The applicant has been providing offsetting green space areas in lieu of stormwater detention for new developments in this area. Provide a current accounting of the "green space trading" that allows for this development without detention. Acknowledge that the newest remnant green space cannot be further developed without detention.
6. 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.

7. The approval of this Conditional Use does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
8. The applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
9. The applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
10. The applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.
11. 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.
12. All work in the public right-of-way shall be performed by a City licensed contractor.
13. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl, of the City Parks Department dkahl@cityofmadison.com or 266-4816.
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 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 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 addressing@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.

16. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
17. 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
18. 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.
19. 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.

Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions about the following eight (8) items.

20. If the applicant requests metered parking space to be removed on North Lake Street to accommodate truck access. The applicant will need to work with the City to resolve issues related to the removal, replacement or payment for the existing) metered public parking stalls. The applicant shall contact William Knobloch or Bill Putman, Parking Utility at 266-4761 for there removal and if you have questions regarding the above items:
21. The developer should be aware that plan sheet EL011 (Photo metrics) is in error by listing existing roadway lights in Johnson Street right-of-way adjacent to this site. The existing City lights mid-block on Johnson Street are on the north side, next the University Square. Therefore, the Johnson Street sidewalk will have much lower light levels than is shown on this plan sheet.
22. The applicant shall show the property lines on West Johnson Street, West Dayton Street, and North Lake Street. In additions, no obstructions shall be in the street right-of-way. The applicant should revise west side of North Lake Street terrace treatment as proposed on West Johnson Street with trees and planters along the curb terrace area. The terrace area should be a minimum of 5 ft with trees buffering the pedestrians from parking and vehicle traffic lane. The City requires this area for snow storage, parking meters, signs etc. In addition, the public sidewalk should be min. of 10 ft wide to accommodate Kohl Center event pedestrian traffic using public sidewalk. The site and GDP shall clearly denote a minimum of 10 feet wide direct and unobstructed public pedestrian sidewalk on North Lake Street as shown on West Johnson Street, and West Dayton Street.
23. The final design and/or improvements to West Johnson Street, West Dayton Street and North Lake Street shall be reviewed and approved by the City Traffic Engineer and City Engineer. The applicant shall need to obtain separate approval by the Board of Public Works and Common Council for the restoration and/or reconstruction of the public right-of-way including any changes requested by the developer. The applicant shall note on the site plan, " All work proposed in the right-of-way is not being

approved as part of the PUD (GDP/SIP). All work in the right-of-way is approved separately by the Board of Public Works, City of Madison.”

24. The applicant shall enter into a subdivision contract or developer's agreement for the reconstruction of the streets and sidewalk adjacent to the development, including Randall Ave. The reconstruction of the streets and sidewalk shall be subject to the plans and specifications of the City Traffic Engineer and City Engineer.
25. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be review by Traffic Engineer to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds four stories prior to sign-off to be reviewed and approved by Keith Lippert, (266-4767) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
26. 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 hand holes, including labor, engineering and materials for both temporary and permanent installations.
27. 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 Scott Strassburg, Madison Fire Department, at 261-9643 if you have questions about the following item:

28. The fire lanes shown on the site plans do not comply with 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. Please contact Bill Sullivan at 608-261-9658 for alternatives and approval.

Please contact Patrick Anderson, Assistant Zoning Administrator, at 266-5978 if you have questions regarding the following five (5) items:

29. If bike parking is provided it should comply with City of Madison General Ordinances Section 28.11. There is no predetermined requirement for bike parking, University Transportation assessments has revealed a need for 70 stalls. Adequate bike and moped parking have been proposed. 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.
30. Parking requirements for persons with disabilities must comply with City of Madison General Ordinances Section 28.11 (3) 6.(m) which includes all applicable State accessible requirements, including but not limited to:
 - a. Provide a minimum of one van accessible stall 8' wide with an 8' striped out area adjacent as per State requirements.
 - b. Show signage at the head of the stalls. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
 - c. Show the accessible path from the stalls to the building. The stalls shall be as near the accessible entrance as possible. Show ramps, curbs, or wheel stops where required.
31. Provide a reuse/recycling plan, to be reviewed and approved by The City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permit being issued.

- 32. Sec 28.12(12)(e) of the Madison Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
- 33. Provide a survey prepared by a Registered Land Surveyor showing an accurate location of all existing and proposed improvements as they relate to the City of Madison right of way.

Please contact my office at 267-1150 if you have questions about the following item.

- 37. That the applicant provides additional detail on the loading dock entrance and adjacent outdoor seating area. Plans should be revised to incorporate additional landscaping and some glass or other decorative treatments on the overhead garage door, for approval by Planning Division staff. Plans should also clarify and provide details on any planters, walls, and fencing proposed along the adjoining outdoor table for approval by Planning Division staff.

Please now follow the procedures listed below for obtaining your rezoning, demolition permit, and conditional use:

- 1. Please revise your plans per the above and submit **ten (10) copies** of a complete 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.
- 2. A reuse and recycling plan, approved by the Recycling Coordinator, is required by ordinance prior to the issuance of a wrecking permit.
- 3. The Madison Water Utility shall be notified to remove the water meter prior to demolition.
- 4. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting demolition and/or building permit approval.

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 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. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use.

If you have any questions regarding obtaining your demolition or building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 267-1150.

Sincerely,

Kevin Firchow, AICP
 Planner

- cc: Janet Dailey, City Engineering
 John Leach, Traffic Engineering
 Tim Sobota, Madison Metro
 Scott Strassburg, Madison Fire Department
 Pat Anderson, Zoning

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

Signature of Applicant

For Official Use Only Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Firchow)	<input type="checkbox"/>	CDBG
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Comm. Staff
<input checked="" type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Recycling Coordinator (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Engineering Mapping