



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

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December 2, 2011

J. Randy Bruce
Knothe & Bruce Architects, LLC
7601 University Avenue, Suite 201
Middleton, Wisconsin 53562

RE: Approval of a request to rezone a portion of 722 Williamson Street from C2 (General Commercial District) to Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow construction of a five-story mixed-use building containing 5,300 square-feet of first floor commercial space and 39 apartments at approximately 306 S. Ingersoll Street. (Marty Rifken, The Rifken Group, Ltd./ Williamson Associates, LP)

Dear Mr. Bruce;

At its November 29, 2011 meeting, the Common Council **conditionally approved** your application to rezone 722 Williamson Street (306 S. Ingersoll Street) from C2 to PUD-GDP-SIP to allow construction of a five-story mixed-use building containing 5,300 square-feet of first floor commercial space and 39 apartments. The following conditions of approval shall be satisfied prior to final approval and recording of the planned unit development and the issuance of permits for new construction:

Please contact Janet Dailey of the City Engineering Division, at 261-9688 if you have questions regarding the following twenty-four (24) items:

1. Site plans submitted for review indicate an address of 300 S. Livingston Street. This is not a valid address. The first/lowest available valid address within this particular "300 block" shall be 302.
2. Coordinate final CAD file submittals and implementation of an addressing plan for the site with the Engineering Division Mapping Section. Submit a PDF of all floorplans to Lori Zenchenko (Lzenchenko@cityofmadison.com) so that a final addressing plan can be developed for this site. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
3. This proposed site plan requires a Certified Survey Map (CSM) application to be made with the Planning Division, conditionally approved, signed off by appropriate commenting City agencies, and the CSM recorded with the Dane County Register of Deeds prior to issuance of any building permits.
4. The proposed site plan requires a shared private ingress and egress and maintenance document to be recorded for this development site.
5. The applicant shall provide a permanent limited easement (PLE) for the public sidewalk that is proposed to be relocated to accommodate the angled street parking. The PLE may be dedicated

with the CSM or by separate recorded document. The applicant shall work with the City Engineering and Traffic Engineering divisions to determine the configuration and feasibility of the parking and sidewalk and determine the easement requirements. If the proposed angle parking cannot meet the design requirements the applicant shall revise the plans to show sidewalk in the existing location within the right of way.

6. The applicant is aware of the potential closing of S. Livingston Street if it is ordered by the Office of the Commissioner of Rails. If S. Livingston Street is closed, it will likely require reconfiguration of the street and may impact or eliminate the proposed angled parking.
7. The existing storm sewer box that is being connected to currently has insufficient capacity during large storm events and can be expected to surcharge. The storm system on the site shall be revised such that when the public system reaches or exceeds capacity, the surcharge/ overflow shall not enter the underground parking.
8. 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.
9. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
10. The approval of this PUD 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.
11. 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.
12. The applicant shall replace all sidewalk and curb and gutter that 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.
13. The applicant shall provide the City Engineer with the proposed earth 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.

14. All work in the public right of way shall be performed by a City-licensed contractor.
15. All damage to the pavement on S. Livingston Street adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
16. 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.
17. 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.
18. 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.
19. 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) off of new paved surfaces, and; 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.
20. The applicant shall submit, prior to plan signoff, 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: building footprints; internal walkway areas; internal site parking areas; other miscellaneous impervious areas lot lines; lot/ plat lines, dimensions and labels; right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
21. 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.
22. The area adjacent to this proposed development has a known flooding risk. All entrances shall be 2 feet above the adjacent sidewalk elevation or 1 foot above the 100-year regional flood elevation (whichever is greater). This includes garage entrances
23. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
24. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Janet Dailey (261-9688) to

obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering Division signoff.

Please contact Bryan Walker of the Traffic Engineering Division, at 267-8754 if you have questions about the following nine (9) items:

25. A condition of approval shall be that no residential parking permits shall be issued for this project, as would be consistent with other projects in the area. In addition, the applicant shall inform all tenants of this facility of the restriction in their apartment leases and record in zoning text. The applicant shall note in the Zoning Text that no residential parking permits shall be issued. In addition, the applicant shall submit a copy of the lease for the project noting the above condition in the lease when submitting plans for City approval.
26. The approval of this PUD (GDP-SIP) 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 Common Council for the restoration of the public right-of-way including any changes requested by the developer.
27. The applicant shall not improve the bike path area in railroad corridor unless City Office of Real Estate Services approves an encroachment prior to plans being submitted for approval. The applicant should contact that office with any questions.
28. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by the Traffic Engineer Division to accommodate the microwave sight and building. The applicant shall submit grading plans and elevations 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.
29. Regarding the proposed parking on S. Livingston Street, the applicant will need to meet further with the Traffic Engineer and City Engineer to see if this is feasible, and the applicant is able to provide the necessary space and easement or land dedication to support it. The final design is to be determined by the City and approved by the Board of Public Works. Parking stalls in the City right of way shall match the dimensions of existing parking stalls located across the street.
30. If S. Livingston Street is closed per the request of the Wisconsin Southern Railroad in a matter before the Office of Commissioner of Railroads, then a redesign of S. Livingston will need to occur to provide a street closing cul-de-sac and a normal, straight sidewalk on the subject property.
31. When the applicant submits final plans of one contiguous plan 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, 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 2 feet overhang, and a scaled drawing at 1" = 20'.
32. 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.

33. 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 Bill Sullivan of the Madison Fire Department, at 261-9658 if you have any questions regarding the following two (2) items:

34. Verify the need for elevator emergency power for the proposed building.

35. Provide fire apparatus access as required by IFC 503 2009 edition, MGO 34.503, as follows:
Ensure related land division does not remove fire access to existing buildings.

Please contact Dennis Cawley of the Madison Water Utility, at 261-9243 if you have any questions regarding the following note:

36. Note: All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Please contact Kay Rutledge of the Parks Division, at 266-4714 if you have any questions regarding the following item:

37. The developer shall pay \$84,545.37 in park impact fees for the 39 multi-family units proposed. Fees in lieu of dedication = (39 units@\$1,554)=\$60,606.00; Park development fees = (39 units@\$613.83)=\$23,939.37, for a total park impact fee of \$84,545.37. The developer must select a method for payment of park fees before signoff on the rezoning. This development is within the Tenney, Law and James Madison Parks park impact fee district (SI26).

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

38. That the Planned Unit Development be revised per Planning Division approval prior to final approval for recording and the issuance of building permits as follows:

- a.) That a section be added to the zoning text acknowledging the presence of existing and future high levels of noise and vibration resulting from trains operating on the nearby railroad right of way, including from possible future commuter rail services. This provision shall also be added to the leases for all proposed units, with a copy of the lease to be provided for the file.
- b.) The zoning text shall be revised to specify that outdoor eating areas for restaurant, brewpub, or tavern uses in the first floor commercial space may be approved as minor alterations to the approved specific implementation plan when approved by the Planning Division Director following a recommendation by the District Alderperson. Any future outdoor eating areas shall be subject to the Plan Commission's continuing jurisdiction, as provided for in Section 28.12(11)h.4.
- c.) That the final list of permitted uses for the project be approved by Planning staff.
- d.) That the building elevations be revised to verify the overall height of the building and the floor to floor heights for the five stories.

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 permits. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions. The final plans shall also reviewed by Amy Scanlon of the Landmarks Commission for conformance with the Certificate of Appropriateness approved for this project.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

After the planned unit development has been revised per the above conditions, please file **eleven (11) sets** of complete, fully dimensioned, and to-scale 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 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

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<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 type="checkbox"/>	Rec. Coord. (R&R Plan)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Other: Landmarks Comm.

- cc: Janet Dailey, City Engineering Division
 Bryan Walker, Traffic Engineering Division
 Bill Sullivan, Madison Fire Department
 Dennis Cawley, Madison Water Utility
 Kay Rutledge, Parks Division
 Pat Anderson, Asst. Zoning Administrator