



Department of Planning & Community & Economic Development

Planning Division

Katherine Cornwell, Director

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March 26, 2015

Melissa Huggins
Urban Assets
16 N. Carroll St., Ste. 530
Madison, WI, 53703

RE: Approval of demolition of a warehouse building and a conditional use for construction of a ten story, 179-unit multi-family residential building in the Urban Mixed Use (UMX) District.

Dear Ms. Huggins:

At its March 23, 2015 meeting, the Plan Commission found the standards met and **approved** your client's request to demolish a warehouse building and to construct a 179-unit multifamily residential building at 114 North Bedford Street. In order to receive final approval of the demolition, and for any necessary permits to be issued for your project, the following conditions shall be met:

Please contact my office at 266-5974 if you have any questions regarding the following 7 items:

1. Final plans submitted for staff review and approval shall include a detailed management plan for the property, including the following:
 - a) Move-in, move-out plan, including details on the furnishings provided in each unit. This plan shall provide assurances that the usability of public streets surrounding the property will be maintained.
 - b) Parking management plan, including an example lease with language pertaining to the amount of automobile and moped parking on the site, and any fees involved to lease a parking stall. This information shall be provided to all tenants, and shall include notice to all tenants that mopeds may not be stored in areas on the property except for in designated moped stalls. At least 39 moped stalls must be installed. The applicant shall designate a small area that could flex between automobile and moped parking, based on tenant needs. The applicant is encouraged to include one or more stalls for a shared car.
Note: This condition was revised by the Plan Commission on March 23, 2015.
 - c) Trash and snow management
 - d) Management of and access to common spaces, including indoor amenities and outdoor terraces.
 - e) Security plan, to be reviewed by Planning Division staff in coordination with staff from the Madison Police Department.
 - f) The days and hours of operation when building management staff will be on-site.
2. Final plans submitted for staff review and approval shall include the following details:

- a) Elevations with a detailed materials schedule including the specifications and colors of all materials. A modular brick pattern shall be utilized in place of the utility brick shown on proposed plans.
Note: This condition was revised by the Plan Commission on March 23, 2015.
 - b) Specification drawings pertaining to the fastening systems for the fiber cement and metal paneling to the building.
 - c) Details on operability of windows in the units, particularly the sliding windows shown on submitted elevations at the floor of units on the lower half of the building.
 - d) Detailed landscape plan for the terrace and courtyard areas, including a landscape schedule with species and planting sizes. These plans shall be reviewed by the Urban Design Commission Secretary in consultation with Landscape Architects on the UDC.
 - e) Detailed elevations for the building facades facing the interior courtyard with exterior materials and window sizes consistent with elevations on the outside facades of the building.
- 3. The applicant has indicated that a centralized HVAC system will be utilized on the proposed building, and has indicated that as a reason to support two additional stories on a large portion of the building. Any future change involving the addition of exterior louvers to the building for HVAC purposes would need to be reviewed by the Plan Commission, and would not be supported by staff.
 - 4. Prior to submitting final plans for staff review, the applicant shall work with Traffic Engineering staff to include visitor bicycle parking in the public right-of-way near the northeast entrance to the building. If this can be accommodated, it will need to be included in the applicant's request for privilege in streets agreement. If this cannot be accommodated in the right-of-way, at least two stalls shall be provided on private property close to the northeast entrance to the building.
 - 5. Prior to submitting final plans for staff review, the applicant shall work with Planning and Zoning staff on the parking area details. Specifically, the applicant shall:
 - a) Explore opportunities to provide a portion of the bicycle parking in vertically mounted or stacked racks in order to provide additional space for moped parking.
 - b) Explore opportunities to designate one or more automobile stalls for a shared car.
 - 6. Bedford Street is a heavily used pedestrian corridor. The Applicant shall expect to use construction methods above and beyond normal construction to maintain sidewalk along Bedford Street after excavation has been completed on the site.
Note: This condition was added by the Plan Commission on March 23, 2015.
 - 7. The applicant shall coordinate with City Engineering and Traffic Engineering staff and shall provide "Bassett Street" style pedestrian lighting along Mifflin Street, similar to the lighting already in the area.
Note: This condition was added by the Plan Commission on March 23, 2015.

Please contact Janet Schmidt of City Engineering at 261-9688 if you have any questions regarding the following 38 items:

- 8. The proposed new building will cross underlying platted lot lines. Current fire 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 and required supporting information shall be prepared and submitted to the City of Madison Planning Department. The CSM shall be approved by the City and recorded with the Dane County Register of Deeds prior to issuance of a building permit.

9. Proposed bike racks, planters and other private improvements are shown encroaching into the adjacent right of way(s). The Applicant shall make an application with City of Madison for a privilege in streets for any private improvements planned within a public right of way administered by the City of Madison Office of Real Estate Services. An approval of the development does not constitute or guarantee approval of any proposed encroachments.
10. There currently is public sanitary sewer over the northeast side of this site. Applicant shall provide a sanitary sewer easement with the required language setting forth the conditions and restrictions required by City of Madison Sewer Engineering Staff. The required width shall be as determined by the sewer staff but will generally follow the edge of the building footing limits. Upon the finalization of the details for the easement, contact Jeff Quamme – jrquamme@cityofmadison.com to receive the appropriate easement language for inclusion on the required Certified Survey Map.
11. The Applicant shall remove and reconstruct the existing sanitary sewer on N. Bedford Street adjacent to the property. The existing sanitary sewer is from 1931 and the proposed construction adjacent to the existing vitrified clay pipe and improvements such as steps and planters over the existing sewer will likely be detrimental and cause failures to the aging system. The new sewer shall be C-900 and shall be constructed in accordance to the plans approved by the City Engineer. The City shall cost share on the new sewer installation up to the statutory limit. The Applicant has already discussed the new sewer locations and reconstruction with City Engineering and will continue to coordinate the design to accommodate the new building location.
12. The proposed sanitary sewer replacement will require a sanitary sewer extension permit from the WDNR. The sanitary sewer plan will be provided by the applicant and shall be stamped by a professional engineer. The City shall coordinate the sewer extension permitting.
13. Landscape plantings, porous pavers and other non-standard terrace improvements are planned in the terrace of the adjacent right-of-way. If permitted by the City under the Terrace Treatment Policy the owner shall enter into a maintenance agreement for the installation of non-standard terrace features.
14. The address of 114 N Bedford St. will be retired with the demolition of the existing building. The base address of the new building is 102 N Bedford St. Plans show that the townhouses can only be accessed from the street; therefore, the townhouse addresses will be 104 N Bedford St, 106 N Bedford St, 108 N Bedford St, 610 W Mifflin St and 612 W Mifflin St.
15. Provide new sidewalk grading plans to show all sidewalk positively draining to terrace and over curb. Remove all bio-infiltration beds in West Mifflin Street terrace as the terrace isn't of sufficient width to sufficiently design a workable bio-infiltration bed that would meet the City's design criteria. Additionally, as proposed this would be considered a hazard for pedestrians or those in wheelchairs.
16. Reposition bike racks so they do not impede mainline sidewalk.
17. Remove wall impeding in right-of-way on the southwest side of the driveway.
18. This area is known to flood. The Applicant shall provide a plan to City Engineering showing how the entrance to the parking area shall be protected. In addition, all building entrance elevations shall be a minimum elevation of 855.00.
19. No heavy equipment or material staging will be allowed over the existing storm sewer and box culvert located in the terrace along N. Bedford Street. Any damage to the sewer as caused by the construction activities for this development shall be at sole cost of the Owner.
20. 1942 Sanborn Fire Insurance Maps show historic bulk oil storage tanks immediately adjacent to the property. Residual contamination may be present. If the contamination is encountered during

development, all WDNR & DSPS regulations must be followed and the City of Madison must be notified (Brynn Bemis, 608-267-1986, bbemis@cityofmadison.com).

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 Acknowledgement prior to the City Engineer signing off on this project (MGO 16.23(9)c).
22. 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.
23. Submit a PDF of all floor plans to izenchenko@cityofmadison.com so that a preliminary interior addressing plan can be developed. 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.
24. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass (POLICY).
25. The approval of this Conditional Use or 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 (MGO 16.23(9)(d)(6)).
26. 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 (POLICY).
27. 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).
28. 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 (INFORMATIONAL).
29. 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).
30. 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).

31. 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. Approval and permitting of any tree removal or replacement shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan (POLICY).
32. All damage to the pavement on W Mifflin St., Bedford St. 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).
33. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in the ROCK RIVER TMDL ZONE and by Resolution 14-00043 passed by the City of Madison Common Council on 1/21/2014. You will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR.
34. The applicant shall demonstrate compliance with MGO Section 37.07 and 37.08 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. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process.

Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm> (NOTIFICATION).
36. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to reduce TSS by 80% off of the proposed development when compared with the existing site.
37. 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
 - g) Detail drawings associated with Stormwater Mgmt Facilities (including if applicable planting plans)
38. 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

d) Sediment loading calculations

39. This project appears to require construction dewatering and/or possibly permanent dewatering and is in an area with potential groundwater contamination. The applicant shall be required obtain the approval of Public Health – Madison & Dane County for this discharge. It can be anticipated that this will required completion of a boring on site and testing of water encountered for possible contaminates. Approval shall be granted before plans are approved for building permit release.

Contact Kirsti Sorsa for more information at 608-243-0356 or ksorsa@publichealthmdc.com.

40. This project appears to require construction dewatering. A dewatering plan shall be submitted to City Engineering as part of the Erosion Control Permit.
41. This project appears to require permanent dewatering. A permit to connect to the public stormwater system shall be required from City Engineering. Additionally, a permit for non-storm discharge to the storm sewer system from the City/County Health Department shall be required.
42. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. MGO 37.05(7). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
43. 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)).
44. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Schmidt (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)).
45. 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 at 266-6527 if you have any questions regarding the following 10 items:

46. The trees are in the vision triangle: ensure upon planting no branches are between 2' and 10' or plant a species of tree the columnar variety (also to be trimmed between 2' and 10' as it matures).
47. Double stacked bicycle parking closest to the door doesn't appear to have an appropriate access aisle, modify configuration to allow access.
48. Several bicycle stalls in the central bicycle parking area do not have sufficient access areas due to the conflicts with the structural columns, modify configuration to allow access.
49. Access to the central bicycle parking area is inhibited by structural columns: modify column location or remove bicycle parking to allow access.
50. Eighty nine off street automobile parking spaces are provided to serve 191 planned residential units. Residents shall not be eligible for participation in the Residential Permit Parking Program. The applicant shall inform all potential residents of this restriction. In addition, the applicant shall submit a copy of the document provided to residents noting the above condition.

51. Items in the Right-of-Way are not approvable though site plan approval, work with City Real Estate to get a 'Privilege in Streets' permit for items in the Right-of-Way.
52. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
53. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
54. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.
55. All parking facility design shall conform to MGO standards, as set in Section 10.08(6).

Please contact Bill Sullivan, Fire Department at 261-9658 if you have any questions regarding the following 2 items:

56. Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.
57. Please consider allowing Madison Fire Department to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Lt. Scott Bavery, (608) 576-0600.

Please contact Kay Rutledge, Parks Division at 266-4714 if you have any questions regarding the following 3 items:

58. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development. The developer must select a method for payment of park fees before signoff on the rezoning. This development is within the Vilas-Brittingham park impact fee district (SI27). Please reference ID# 15113 when contacting Parks about this project
59. Forestry will permit the removal of the small Honeylocust on N Bedford, and the Ash tree on W Mifflin St. Contractor shall contact City Forestry at least one week prior to the start of construction to obtain a tree removal permit.
60. Additional street trees are needed for this project. All street tree planting locations and trees species within the right of way shall be reviewed by City Forestry. Please submit a site plan (in PDF format) to Dean Kahl – dkahl@cityofmadison.com or 266-4816. Approval and permitting of tree planting shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part2.pdf>

Please contact Matt Tucker, Zoning Administrator at 266-4569 if you have any questions regarding the following 7 items:

61. 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).
62. 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.
63. Sec. 28.185(9)(a) a demolition or removal permit is valid for one (1) year from the date of the Plan Commission approval.
64. Provide a detail plan page with final plans showing the qualifying Useable Open Space areas and lot coverage calculations.
65. Pursuant to Sec. 28.142(3)&(6) Landscape Plan and Design Standards: Landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
66. Provide a minimum of 236 bike parking spaces distributed as both *Short Term* and *Long Term* bicycle parking, as required per sec. 28.141(4) and 28.141(11). Provide a detail of the bike rack design including wall mounts. NOTE: current code requires a maximum of 25% of the bike parking spaces may be structured bike parking (wall-mount or stacked), plans show no structured bike parking. There are locations in the submitted plans where the dimensional requirements appear to not be met. Final plan shall dimension the stalls and access aisles.
67. 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 prior to sign installations. A separate submittal shall be prepared and submitted for Comprehensive Design Review of signage for this project.

Please contact Dennis Cawley of the Water Utility (266-4651) if you have any questions regarding the following 3 items:

68. The Madison Water Utility shall be notified to remove the water meter prior to demolition.
69. All water service lateral work in the public right-of-way shall comply with the City of Madison Standard Specifications for Public Works Construction.
70. This property is not located 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.

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Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency. No building permits shall be issued until the applicant has met all of the conditions of approval stated in this letter.

Please now follow the procedures listed below for obtaining your demolition and conditional use permits:

1. Please revise the plans per the above conditions and file **twelve (12)** sets of complete, fully dimensioned, and to-scale plans, along with the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code. Also provide any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval.
3. 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 the demolition or conditional use approval, please contact the Zoning Administrator at 266-4551. If you have any questions or if I may be of any further assistance, please do not hesitate to contact my office at 266-5974.

Sincerely,

Heather Stouder, AICP
Planner

cc: Matt Tucker, Zoning Administrator
Janet Schmidt, City Engineering
Jeff Quamme, Engineering Mapping
Eric Halvorson, Traffic Engineering
Bill Sullivan, Fire Department
Al Martin, Urban Design Commission
Kay Rutledge, Parks Division
George Dreckmann, Recycling Coordinator
Jenny Frese, Real Estate

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

Signature of Applicant

Signature of Property Owner (if not applicant)

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (H. Stouder)	<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 checked="" type="checkbox"/>	Real Estate