



Department of Planning & Community & Economic Development

## Planning Division

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August 7, 2015

Brad Koning  
Shulfer Architects, LLC  
1918 Parmenter Street, Suite 2  
Middleton, Wisconsin 53562

RE: Approval of a request to rezone 101 S. Mills Street from TR-V1 (Traditional Residential–Varied 1 District) to TR-U1 (Traditional Residential–Urban 1 District) and approval of a demolition permit to allow demolition of a single-family residence and construction of a four-unit apartment building. (Chris Etmanczyk, 101 South Mills, LLC).

Dear Mr. Koning;

At its August 4, 2015 meeting, the Common Council **approved** your client's request to rezone 101 S. Mills Street from TR-V1 to TR-U1. On July 27, 2015, the Plan Commission **approved** the related demolition permit subject to approval of the rezoning and the following conditions of approval, which shall be satisfied prior to final approval of this request and the issuance of permits for demolition or new construction:

**Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following nineteen (19) items:**

1. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the City Assessor's Office can then create the new Address-Parcel-Owner (APO) data in the parcel database so that the permitting system can upload this data and permit issuance made available for this new land record.
2. The address of 101 S. Mills Street is being retired with the demolition of the existing house. The base address of the proposed apartment building is 103 S. Mills Street.
3. Update apartment labels: Alpha characters are not permitted for addressing purposes. Apt. A has an address of 103 S. Mills St. Apt. 101. Apt. B is 103 S. Mills St. Apt. 102. Apt. C is 103 S. Mills St. Apt. 201. Apt. D is 103 S. Mills St. Apt. 202.
4. Update all site plan sheets to show the full street name, S. Mills Street.
5. Roof drains shall be connected to the storm sewer system.

6. The applicant shall specify how the sanitary sewer lateral connection will be made: saddle, cut in wye, or insert a tee. Cut in wyes shall have Fernco connections to the existing sewer main. The applicant shall require that the contractor have preventative measures for connecting to and disposing of asbestos cement pipe.
7. The site plan shall identify lot and block numbers of recorded Certified Survey Map or plat.
8. 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.
9. 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.
10. The applicant shall replace all sidewalk and curb and gutter abutting the property, which is damaged by the construction, or any sidewalk and curb and gutter that 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.
11. A City-licensed contractor shall perform all work in the public right of way.
12. 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 Parks Division, [dkahl@cityofmadison.com](mailto: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.
13. All damage to the pavement on S. Mills Street or Milton Street adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
14. This area falls within the TMDL zone for the City of Madison. As a result, it will be subject to higher erosion control standards at the time of development, as authorized by State code and City resolution. You will be expected to meet a higher standard of erosion control than the minimum standards set by the Wisconsin Department of Natural Resources (WDNR).
15. For commercial sites less than 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 1 acre, 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.
16. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to reduce TSS off of the proposed development by 80% when compared with the existing site.
17. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. 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).

18. 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.
19. Prior to final approval of the demolition permit, the owner shall obtain a permit to plug each existing sanitary sewer and/ or storm sewer lateral that serves a building that is proposed for demolition. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing lateral that serves a building that 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: New plugging procedures and permit fees are in effect as of January 1, 2013.

**Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following five (5) items:**

20. The site plan shows 3 off street parking spaces to serve 4 units. This is less than a 1:1 ratio of parking spaces to residential units. A condition of approval shall be that no residential parking permits shall be issued for 101 S. Mills Street, which is consistent with other projects in the area. The applicant shall inform all tenants of this facility requirement in their apartment leases. In addition, the applicant shall submit a copy of the lease for 101 S. Mills Street noting the above condition when requesting final approval of the plans prior to issuance of permits.
21. When the applicant shall submit plans 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 and proposed property lines, addresses, one contiguous plan (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, semitrailer movements and vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2 feet overhang, and a scaled drawing at 1" = 20'. Contact City Traffic Engineering if you have questions.
22. 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.
23. 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.
24. All parking facility design shall conform to the standards in MGO Section 10.08(6).

**Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at 266-4429 if you have any questions regarding the following seven (7) items:**

25. Provide a reuse/recycling plan, to be reviewed and approved by the City's Recycling Coordinator, George Dreckmann, prior to a demolition permit being issued. MGO Section 28.185(7)(a)5 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. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission approval.
26. Per MGO Section 28.142(9)(a), the refuse disposal area shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet. Provide a detail of refuse enclosure screening with the final plans.
27. A parking adjustment application shall be submitted with final plans. A parking adjustment subject to MGO Section 28.141(5) shall be required for the substitution of moped parking for a required vehicle stall.
28. A minimum of one van accessible stall is required. A van accessible stall is a minimum of 11 feet wide with a 5-foot wide access aisle. On the final plans, show the accessible stall, striped access aisle, and required sign.
29. Bike parking shall comply with MGO Section 28.141: Verify that the bicycle and moped parking stalls will not obstruct the access aisle of the van accessible stall. The bicycle parking and moped parking spaces may share a 5-foot access aisle with the van accessible stall. The access aisle must remain clear of all obstructions, including from bikes and mopeds. Bicycle racks shall be installed to the manufacturer's specifications, including the minimum recommended distance from other structures and to avoid obstructing the access aisle.
30. Submit a detail with the final plans showing how lot coverage is calculated as defined in MGO Section 28.211.
31. Exterior lighting provided shall be in accordance with MGO Section 10.085. Provide an exterior lighting plan and fixture cut sheets, with the final plan submittal.

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

32. The Madison Water Utility shall be notified to remove the water meter prior to demolition. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility in accordance with MGO Section 13.21.

**Please contact Bill Sullivan of the Madison Fire Department if you have any questions about the following two (2) items:**

33. Exiting shall comply with IBC Chapter 10 and specifically IBC 1021.2 Single Exits.

34. Please consider allowing the Madison Fire Department to conduct training sequences prior to demolition. Contact Lt. Scott Bavery of the MFD Training Division at 576-0600 to discuss this possibility.

**Please contact Kay Rutledge of the Parks Division at 266-4714 if you have any questions about the following five (5) items:**

35. 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 lest a credit for the single-family residence to be demolished. The developer must select a method for payment of park fees before signoff on the demolition permit and rezoning. This development is within the Vilas-Brittingham park impact fee district (SI27). Please reference ID# 14131 when contacting Parks Division staff about this project.
36. 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 final approval of the site plan.
37. Additional street trees are needed for this project. All street tree planting locations and trees species with the right of way shall be reviewed by City Forestry. Please submit a site plan (in PDF format) to Dean Kahl – [dkahl@cityofmadison.com](mailto: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*.
38. Existing street trees shall be protected. Please include the following note on the site plan: "Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree 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*.
39. Approval of plans for this for 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.

**Please contact my office if you have any questions about the following item:**

40. Revise the development plans prior to final staff approval and the issuance of demolition and building permits as follows:
- a. Dimension the setbacks of the building on Sheet C101 from the property line to the nearest point on each wall;
  - b. Label the material and color of the panelized material on the bay windows on Sheet A3.0;

- c. Revise the data tables on Sheet A1.1 and depict visually where necessary on the site plans on Sheets C3.0 and A1.1 the final approved conditions, including all exterior bike parking, any proposed moped parking, the number of dwelling units and bedrooms.

**Note: In approving the demolition permit, the Plan Commission encouraged the applicant to relocate the house prior to commencing razing activities.**

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

**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 for obtaining permits for your project:**

1. After the plans have been revised per the above conditions, please file **nine (9) sets** of complete, fully dimensioned, and to-scale plans, 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 Zoning staff to the City department staff listed above for their final approval prior to issuance of building permits.
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 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. Section 28.185(10) 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 meter(s) prior to demolition.
5. Any alteration in plans for a proposed alternative use shall require Plan Commission approval, except for minor alterations or additions which may be approved by the Director of Planning and Community and Economic Development if determined to be compatible with the concept approved by the Plan Commission. Following the issuance of a Certificate of Occupancy, future additions or alterations to the proposed alternative use of the property shall not be subject to review under this section. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission. Where the plans have not been altered since issuance of the demolition or removal permit and the permit has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to 24 months from the expiration date.

If you have any questions regarding obtaining your building or occupancy 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 261-9632.

Sincerely,

Timothy M. Parks  
Planner

cc: Janet Schmidt, City Engineering Division  
Eric Halvorson, Traffic Engineering Division  
Jenny Kirchgatter, Asst. Zoning Admin.  
Kay Rutledge, Parks Division  
Dennis Cawley, Madison Water Utility  
Bill Sullivan, Madison Fire Department  
Tim Sobota, Metro Transit

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

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Signature of Property Owner  
(If Not Applicant)*

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 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: