



Department of Planning & Community & Economic Development

Planning Division

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September 22, 2015

Kirk Keller
Plunkett Raysich Architects
2310 Crossroads Dr., Ste. 2000
Madison, WI, 53704

RE: Approval of demolition of three commercial buildings and a conditional use for construction of a mixed-use building with 60 dwelling units and ground floor commercial space.

Dear Mr. Keller:

At its September 21, 2015 meeting, the Plan Commission found the standards met and **approved** your client's request to demolish three commercial buildings for construction of a mixed-use building at 2107-2249 Sherman Avenue. In order to receive final approval of the demolition and conditional use, 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 6 items:

1. Final plans submitted for review and approval by staff shall include a detailed materials schedule complete with colors and specifications of each material.
2. A revised landscape plan shall be prepared for staff review and approval to include the following:
 - a) Detailed landscape schedule
 - b) Details for stormwater management areas, including a maintenance plan
 - c) Details for all groundcover, seating, and other amenities
 - d) Details for any passive green roof elements or rooftop usable open space areas
3. Final plans shall include bicycle parking revisions so that the required outdoor bicycle parking is available near multiple entrances to the building.

Note: Conditions 4-6 were added by the Plan Commission on September 21, 2015.

4. Prior to submitting final plans for staff review and approval, the applicant shall work with Traffic Engineering and Planning staff to shift the Fordem Avenue driveway further to the south to deemphasize the pass-through.
5. Residents of this development shall not be eligible for participation in the Residential Permit Parking Program. The landlord shall inform potential tenants of this restriction prior to signing of a lease.
6. Final plans submitted for staff review and approval shall reflect the following conditions:
 - a) Removal of the fifth floor loft and patio spaces
 - b) A maximum of 60 dwelling units
 - c) No less than one parking stall in the underground parking area per dwelling unit

- d) Additional bicycle parking at all public entrances
- e) Any necessary revisions to the Sherman driveway to meet vision triangle requirements
- f) Modular brick, rather than utility brick as the primary exterior material
- g) Dark window mullions on the residential portion of the building as shown in the September 21 submittal

Please contact Brenda Stanley, City Engineering at 266-4537 if you have any questions regarding the following 21 items:

7. Applicant shall dedicate a 15' wide sanitary sewer easement centered over the top of the existing sanitary sewer as a condition of plan approval. Applicant shall also dedicate a 15' wide storm sewer easement centered over the top of the existing storm sewer. These easements will be vacated if the sewer and storm sewer are relocated into the street.
8. A subdivision agreement is required as part of this development to allow for the reconstruction of the sidewalk.
9. Applicant shall coordinate all construction activity with 2016 City of Madison Fordem Avenue resurfacing project.
10. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact City Engineering 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)).
11. The Developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the CSM (MGO 16.23(9)(d)).
12. 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. The permit and fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm> (MGO CH 35.02(14)).
13. 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).
14. 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).
15. 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 (POLICY AND MGO 10.29).
16. 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.
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 5.0 tons per acre per year.

18. 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).
19. 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.
20. 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)
21. 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

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 (POLICY and MGO 37.09(2)).

22. 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>.
23. The properties are open contaminant sites with the WDNR (BRRS #03-13-561292 & 02-13-560846). A digital copy of the site investigation report(s) and remedial actions report(s) shall be submitted to Brynn Bemis (608.267.1986, bbemis@cityofmadison.com). Applicant shall submit proof of coordination with the WDNR to remediate the site and address residual contaminant concerns associated with the proposed site plan (i.e. vapor mitigation, dewatering).
24. All work in the public right-of-way shall be performed by a City licensed contractor.
25. 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).

26. All damage to the pavement on Fordem Ave. 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).
27. The Applicant shall execute a waiver of notice and hearing on the assessments for the improvement of Fordem Ave. in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO (MGO 16.23(9)(d)(6)).

Please contact Eric Halvorson, Traffic Engineering, at 266-6527 if you have any questions regarding the following 6 items:

28. Provide 20' between the Right-of-Way on Sherman Ave and the first parking stalls. This is to ensure a vehicle exiting the Right-of-Way will have adequate space to access the site and not negatively impact pedestrian, bicycle or vehicular traffic.
29. Provide turning movement templates for the entrance on Fordem Ave to ensure all movement are reasonable and safe; modifications to the plan maybe require upon Traffic Engineering's review.
30. 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.
31. 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.
32. 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.
33. All parking facility design shall conform to MGO standards, as set in Section 10.08(6).

Please contact Matt Tucker, Zoning Administrator at 266-4569 if you have any questions regarding the following 11 items:

34. 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.
35. 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.
36. Sec. 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
37. Show the building dimensions and setbacks from the property lines on the site plan for the final plan submittal.

38. Submit a calculation and detail plan page showing the qualifying usable open space areas. Per section 28.140, roof decks and balconies may be used to meet up to 75% of the minimum open space requirements, provided that minimum size dimensions are met.
39. Submit a calculation and detail plan page showing that the project meets the lot coverage requirement. The maximum lot coverage is 75%. Lot coverage is the total area of all buildings and paved areas as a percentage of the total lot area, with the exceptions of sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.
40. Per Section 28.142(3) 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. Submit a landscape plan and landscape worksheet stamped by the registered landscape architect.
41. 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.
42. Show the dimensions of the surface and underground bicycle stalls and access aisles on the final plans. A bicycle stall is two feet by six feet with a five-foot wide access aisle. Note that vehicle stalls and building columns cannot obstruct the five-foot wide access area. Provide a detail showing the model of bike rack to be installed.
43. Provide a detailed calculation showing that the primary street facade meets Section 28.060(2)(d), Door and/or Window Openings requirements.
44. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31, Sign Codes. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development

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

45. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e). Additional information is available at the Home Fire Sprinkler Coalition website: <http://www.homefiresprinkler.org/Consumer/ConsHome.html>
46. 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 Janet Schmidt, Parks Division, if you have any questions regarding the following 3 items:

47. 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 demolition permit. This development is within the Tenney – Law – James Madison park impact fee district (SI26). Please reference ID# 15140 when contacting Parks about this project.
48. 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 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>.

49. Approval of plans 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 Dennis Cawley, Water Utility, at 266-4651 if you have any questions regarding the following 2 items:

50. 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.
51. Each lot shall have a separate water service lateral connected to a public water main.

Please contact Tim Sobota, Metro Transit, at 261-4289 if you have any questions regarding the following item:

52. Metro Transit operates daily transit service (at least every thirty minutes) along both sides of North Sherman Avenue through the Fordem Road/Sherman Avenue intersection, just north of the project site.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency. No demolition or 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 your plans per the above conditions and submit nine (9) 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. This submittal shall all also include one complete digital plan set in PDF format. 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 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 valid building permits are issued.

If you have any questions regarding obtaining the demolition and 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
Bill Sullivan, Fire Department
George Dreckmann, Recycling Coordinator
Brenda Stanley, City Engineering
Jeff Quamme, Engineering Mapping
Janet Schmidt, Parks
Eric Halvorson, Traffic Engineering

I hereby acknowledge that I understand and will comply with the above conditions of approval for this demolition 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 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"/>	Real Estate