



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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July 18, 2017

Tim Radelet & David Porterfield
Movin' Out, Inc.
902 Royster Oaks Drive
Madison, Wisconsin 53716

RE: Approval of a conditional use to allow a mixed-use building with 2,800 square feet of commercial space and 48 apartments to be constructed at 2230 W. Broadway (ID 47312).

Gentlemen;

At its July 10, 2017 meeting, the Plan Commission found the standards met and **approved** your conditional use for 2230 W. Broadway. The conditions of approval in the following sections shall be satisfied prior to issuance of building permits for the project.

Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following seventeen (17) items:

1. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that will not serve the new building. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees.
2. All new parking areas must be treated to 60% TSS control for stormwater management; the plans as submitted show treatment for only one of two lots.
3. The applicant shall install public sidewalk along Fayette Avenue. The applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later.
4. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior to City Engineering sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering sign-off.
5. 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.
6. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the City Engineering Division (Storm/Sanitary Section). The digital CAD

file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number. The digital copies shall be drawn to scale and represent final construction including: building footprints; internal walkway areas; internal site parking areas; other miscellaneous impervious areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.); right-of-way lines (public and private); plat name and lot lines (metes & bounds parcel lines if unplatted); platted lot numbers (noted "unplatted lands" if not platted); lot/plat property dimensions; street names; private on-site sanitary sewer utilities (including all connections to public sanitary); private on-site storm sewer utilities (including all connections to public storm). The CAD file will only be required prior to final plan review so that multiple files do not need to be supplied or reviewed. The party responsible for the CAD file e-mail transmission shall include the project site address in the email subject line. Any changes or additions to the location of the building, private utilities, sidewalks, parking/pavement during construction will require a new CAD file transmittal.

7. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). 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) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.); e) Right-of-Way lines (public and private); f) Lot lines or parcel lines if unplatted; g) Lot numbers or the words unplatted; h) Lot/Plat dimensions; i) Street names; j) Stormwater Management Facilities; k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
8. Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project. Include copies of all stormwater, utility, and detail plan sheets that contain stormwater practices on 8.5x14 size paper in the draft document. These drawings do not need to be to scale as they are for informational purposes only. Once City Engineering staff have reviewed the draft document and approved it with any required revisions submit a signed and notarized original copy to City Engineering. Include a check for \$30.00 made out to Dane County Register of Deeds for the recording fee. City Engineering will forward the document and fee for recording at the time of issuance of the stormwater management permit. The draft SWMA document can be emailed to Tim Troester (west) at ttroester@cityofmadison.com, or Jeff Benedict (East) at jbenedict@cityofmadison.com. The final document and fee should be submitted to the City Engineering Division.
9. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 24-hour, 100-year design storm. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin PE that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin PE or licensed Plumber that show this requirement has been met.

10. The applicant shall demonstrate compliance with Sections 37.07 and 37.08 of 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.
11. This site appears to disturb over 1 acre of land and requires a permit from the Wisconsin Department of Natural Resources (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 Water Resources Application for Project Permits (WRAPP) or Notice of Intent Permit (NOI) permit process.
12. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to: Reduce TSS by 80% off of the proposed development when compared with the existing site; 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 MGO.
13. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction
14. 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.
15. The applicant shall replace all sidewalk and curb and gutter that abuts the property that 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.
16. All work in the public right of way shall be performed by a City-licensed contractor.
17. All damage to the pavement on W. Broadway and Fayette Avenue adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.

Please contact Jeff Quamme of the City Engineering–Mapping Section at 266-4097 if you have any questions regarding the following three (3) items:

18. The proposed new building will cross several underlying platted lot lines. Current City enforcement of Building and Fire codes and 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.

19. Note: The applicant had discussed the possibility of requesting the discontinuance/vacation of the unimproved 14-foot wide alley along the north side of this site. If this interest still exists, contact Jeff Quamme (jrquamme@cityofmadison.com - 266-4097) to coordinate any possible discontinuance/vacation.
20. Submit a PDF of all floor plans to lzenchenko@cityofmadison.com so that a preliminary interior addressing plan can be developed prior to plans being submitted for permit review. 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.

Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following nine (9) items:

21. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawing 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.
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).
25. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
26. Work with Traffic Engineering staff to modify the commercial lot to allow circulating parking to turn around. This is typically done by painting out one of the stalls or adding additional pavement to be used for vehicular turning movements.
27. The applicant shall ensure a 10-foot vision triangle is maintained with a vertical clearance between 30 inches and 10 feet at all entrances.

28. Traffic Engineering staff recommends that all bicycle parking adjacent pedestrian walkways shall have a two-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
29. The plan submitted for review did not include dimensioning of the underground parking. It will still be required to comply with MGO Section 10.08. The applicant can expect that if this is not in compliance, they shall be required to bring the spaces into compliance up to and including modifying wall and column geometry.

Please contact Bill Sullivan of the Madison Water Utility at 261-9688 if you have any questions regarding the following item:

30. Provide fire apparatus access as required by IFC 503 2012 edition, MGO Section 34.503 as follows:
The site plans shall clearly identify the location of all fire lanes.

Please contact Adam Wiederhoeft of the Madison Water Utility at 266-9121 if you have any questions regarding the following item:

31. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website, otherwise they may be obtained from the Water Utility Main Office at 119 E. Olin Avenue. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size and obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at 266-4646.

Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at 266-4429 if you have any questions regarding the following eight (8) items:

32. Wall mounted vertical style bike racks are proposed for the long-term resident bicycle parking stalls. Up to 25% of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking. A bicycle parking adjustment will be required for bicycle stalls that do not meet the Zoning Code requirements for number, location, style or type of stalls.
33. Bicycle parking shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of two (2) short-term bicycle parking stalls for the commercial tenant spaces. Required short-term bicycle parking spaces shall be located in a convenient and visible area at least as close as the closest non-accessible automobile parking and within 100 feet of a principal entrance. Relocate the required short-term bicycle parking stalls for the commercial tenants to a convenient and visible area near the principal entrances. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5)-foot wide access area. Provide a detail of the proposed bike rack.

34. As each commercial tenant space is leased, the entire development must reflect compliance in the required number and type of bicycle parking spaces, to be reviewed prior to obtaining zoning approval for each use.
35. Bicycle parking for the residential dwelling units shall comply with Sections 28.141(4)(g) and 28.141(11) and shall be designated as short-term or long-term bicycle parking. A minimum of 54 resident bicycle stalls are required plus a minimum of 5 short-term guest stalls. At least 90% of required resident bicycle parking shall be designed as long-term parking. Up to 25% of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking. NOTE: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5)-foot wide access area. Submit a detail showing the model of bike racks to be installed, including wall mount or vertical style bike racks.
36. Provide details showing that the primary street façade meets the door and window opening requirements of Section 28.060(2)(d). For non-residential uses at ground floor level, windows and doors or other openings shall comprise at least 60% of the length and at least 40% of the area of the ground floor of the primary street facade. At least 50% of windows on the primary street facade shall have the lower sill within three (3) feet of grade. For residential uses at ground level, a minimum of 15% of the ground level of residential facades or side and rear facades not fronting a public street shall consist of windows and door openings. On upper stories, window or balcony openings shall occupy a minimum of 15% of the upper-story wall area.
37. Identify the location of the site-mounted HVAC equipment and screening. Ground level mechanical equipment and utilities shall be fully screened from view from any street or residential district. Provide a detail of the screening.
38. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
39. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31 Sign Codes and MGO Chapter 33 Urban Design Commission ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Please contact Janet Schmidt of the Parks Division at 261-9688 if you have any questions regarding the following five (5) items:

40. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(6) will be required for all new residential development associated with this project. This development is within the East Park Infrastructure Impact Fee district. Please reference ID# 15163 when contacting Parks Division staff about this project.
41. City Forestry will remove three dead city street trees along W. Broadway.

42. 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, 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*.
43. Additional street trees are needed for this project. All street tree planting locations and tree species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. Tree planting specifications can be found in Section 209 of *City of Madison Standard Specifications for Public Works Construction*.
44. Please including the following note on the landscape plans: “Contractor shall contact City Forestry Brad Hofmann bhofmann@cityofmadison.com or 266-4816 before digging within five feet of the 24” diameter Linden on Fayette Avenue for installation of sidewalk.”

Please contact my office at 261-9632 if you have any questions regarding the following two (2) items:

45. Any proposed HVAC or utility penetrations on the building shall not face W. Broadway or Fayette Avenue. Any such penetrations elsewhere on the exterior of the building shall be designed to be perpendicular to the facades to limit their visibility to the greatest extent possible. No utility or HVAC pedestals or penetrations, including HVAC wall packs for units, and gas meters or electric meters for buildings/ units shall be permitted without specific approval by the Urban Design Commission and Plan Commission.
46. The applicant shall work with the Zoning Administrator and Planning Division staff to address the project’s compliance with the building design requirements in Section 28.060 of the Zoning Code as identified in the Zoning Administrator’s comments regarding this project [later in this section]. Those plans shall then be presented to the Urban Design Commission for final approval prior to final sign-off of the project and issuance of building permits. The plans presented for final approval shall demonstrate compliance with the Zoning Code as well as address any prior comments about the project by the Urban Design Commission.

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

The applicant is also required to obtain final approval of this project from the Urban Design Commission and satisfy any conditions of that approval prior to the final staff approval of the project and the issuance of permits. Please contact Chris Wells, Acting Urban Design Commission Secretary, at 261-9135 if you have any questions.

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. **This submittal shall all also include one (1) complete digital plan set in PDF format.** 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.
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. [Signature block on last page]
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. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the Plan Commission and the conditional use standards. This approval shall become null and void one (1) 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 (6) months of the issuance of said building permit. Where the plans have not been altered from the Plan Commission's approval, and the conditional use 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. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if you may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Brenda Stanley, City Engineering Division
Jeff Quamme, City Engineering Division—Mapping Section
Eric Halvorson, Traffic Engineering Division
Jenny Kirchgatter, Assistant Zoning Administrator
Adam Wiederhoeft, Madison Water Utility
Janet Schmidt, Parks Division
Bill Sullivan, Madison Fire Department

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)*

LNDUSE-2017-00055			
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 (EP)	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other:
<input checked="" type="checkbox"/>	Water Utility (EP)	<input type="checkbox"/>	Other: