



Department of Planning & Community & Economic Development

Planning Division

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October 21, 2020

Greg Held
Knothe & Bruce Architects
7601 University Ave
Middleton, WI 53562

RE: Legistar #62084; Accela 'LNDUSE-2020-00094' -- Approval of a demolition permit to raze five buildings and conditional uses for a mixed-use building 1937-1949 Winnebago St and 316 Russell St

Dear Mr. Held:

At its October 19 meeting, the Plan Commission, meeting in regular session, found the standards met and approved your demolition permit to raze four commercial buildings and a single-family residence and conditional uses to construct a three-story mixed-use building with approximately 8,000 square feet of commercial space and 11 apartments at **1937-1949 Winnebago Street and 316 Russell Street**. In order to receive final approval of the conditional use, demolition permit, and for any other permits that may need to be issued for your project, the following conditions shall be met:

Please contact Jenny Kirchgatter, Assistant Zoning Administrator at (608) 266-4429 if you have any questions regarding the following nine (9) items:

1. Section 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, Bryan Johnson at streets@cityofmadison.com. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
2. Per Section 28.141(5), a reduction in the minimum number of parking spaces required of up to 20 spaces may be approved by the Zoning Administrator. Submit a request for a parking reduction with the final plan submittal including information to support the argument for reducing the required number of spaces. As the commercial tenant spaces are leased, the entire development must reflect compliance in the required number of vehicle parking spaces, to be reviewed prior to obtaining zoning approval for each future tenant space use. Future parking reductions may be required prior to obtaining zoning approval for future tenant uses.
3. Show the three (3) foot wide accessible route from the underground accessible stall to the accessible entrance. The accessible route may not be blocked by a parking stall.
4. Bicycle parking for the commercial tenant spaces shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11) and will be reviewed prior to obtaining zoning approval for

each use. Provide a minimum of four (4) short-term bicycle parking stalls located in a convenient and visible area on a paved or pervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance.

5. Provide details showing that the primary street façade meets the door and window opening requirements of Section 28.060(2)(d). For nonresidential uses at ground floor level, windows and doors or other openings shall comprise at least sixty percent (60%) of the length and at least forty percent (40%) of the area of the ground floor of the primary street facade. At least fifty percent (50%) of windows on the primary street facade shall have the lower sill within three (3) feet of grade. On upper stories, window or balcony openings shall occupy a minimum of fifteen percent (15%) of the upper-story wall area.
6. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. 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.
7. Show the locations and sizes of the green roof areas on the plans. Submit details for the green roof areas.
8. 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.
9. 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. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Please contact Brenda Stanley of the City Engineering Division at (608) 261-9127 if you have any questions regarding the following twelve (12) items:

10. The proposed lateral connection to Winnebago St. (6" lateral to 6" main) requires a manhole at the location of the connection. Applicant shall revise plan to included 4' diameter manhole in Winnebago Street.
11. Applicant shall not show proposed sanitary sewer laterals connecting to Russell Street. The City intend to take this sewer out of service.
12. The stormwater runoff from the redevelopment shall all be directed to the public ROW. If this is not possible the applicant shall meet with Engineering representatives to discuss options.
13. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)

14. Construct sidewalk, terrace, curb & asphalt to a plan on Winnebago St and Russel St as approved by City Engineer
15. 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 Mark Moder (608-261-9250) 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))
16. 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)
17. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
18. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
19. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
20. Revise the site plan 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)
21. This project will disturb 4,000 sf or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. The permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.
This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.
Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>
This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit. (POLICY)
This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion

control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing. Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.

22. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
23. 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).

Please contact Jeff Quamme of the City Engineering Division – Mapping Section at (608) 266-4097 if you have any questions regarding the following four (4) items:

24. Coordination with the other entities having the reciprocal right of use of the current 12' wide private common access right of way per Doc No. 23874 crossing the southerly portion of this development is solely the responsibility of the Owner / Developer. Expansion of the easement near Russell Street is advised to encompass the proposed driveway opening.
25. The base address of the apartments & upper commercial is 1945 Winnebago St. 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.
26. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction.
27. Submit a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) prior to the final verification submittal stage of this LNDUSE with Zoning. The approved Addressing Plan shall be included in the final application. For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved. The final revised Addressing Plan shall be submitted by the applicant to Zoning to be attached to the final filed approved site plans.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following eleven (11) items:

28. Note: This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, protected walkways will be constructed and maintained as soon as possible and little to no access to the Public Right-of-Way on Winnebago Street will be granted for

construction purposes. Provide a detailed construction plan to Traffic Engineering for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff.

29. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; 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.
30. 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.
31. 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.
32. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
33. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
34. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.
35. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
36. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds three stories prior to sign-off to be reviewed and approved by Austin Scheib, (266-4768) (ascheib@cityofmadison.com) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.

37. Secure parking facility. This is usually done with continuous six (6) inch curb, timbers, preformed wheel stops, guardrail erected at a height of eighteen (18) inches or fencing of sufficient strength to act as a vehicle bumper.
38. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

Please contact Ann Freiwald of the Parks Division at (608) 243-2848 if you have any questions regarding the following one (1) item:

39. 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(2) 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# 20018 when contacting Parks about this project.

Please contact Jeff Belshaw of the Water Utility at (608) 261-9835 if you have any questions regarding the following two (2) items:

40. 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 (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. 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 & 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 (608) 266-4646.
41. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

Please contact Brad Hofmann of the Forestry Division at (608) 267-4908 if you have any questions regarding the following eleven (11) items:

42. Damaging Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at 266-4816. Penalties and remediation shall be required. Add as a note on the plan set.
43. Excavation As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works
Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact

Madison City Forestry (266-4816) prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the plan set.

44. No later than five business days prior to forming concrete and constructing tree grate sites, the Contractor shall contact City Forestry at (608) 266-4816 to identify and locate underground conflicts (utilities, vaults, conduit) or other underground obstructions and determine grate locations. Tree grate type: Neenah 4x8 (R8815-A). Tree guard Neenah (R-8501-4818). Add as a note on the plan set.
45. Planting Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan (in PDF format) shall be submitted City Forestry for approval of planting locations and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note to plan: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.
46. Protection On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on the plan set.
47. Pruning Street tree pruning shall be coordinated with Madison Forestry at a minimum of two weeks prior to the start of construction for this project. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on the plan set.
48. Salvage Contractor shall contact City Forestry at 266-4816 to schedule delivery of salvaged tree grates to City Forestry facility. Add as a note on the plan set.
49. Soil Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on the plan set.
50. Street All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the plan set.

51. Tree An existing inventory of street trees located within the right of way shall be included on the landscape, site, demo, and utility plans. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.
52. City Forestry will issue a street tree removal permit for one 6" Maple tree due to condition within grate along Winnebago Street. Add as a note on the plan set.

Please contact Timothy Sobota of Metro Transit at (608) 261-4289 if you have any questions regarding the following one (1):

53. Metro Transit operates daily all-day transit service along Winnebago Street. Bus stops are located east of this property, in the Atwood Avenue intersection area.

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

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

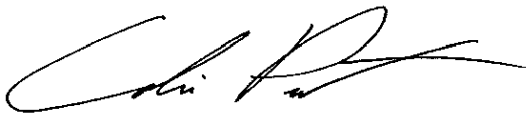
1. After the plans have been revised per the above conditions, please **one (1) complete digital plan set in PDF format** of complete, fully dimensioned, and to-scale plans; the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code; and any other documentation requested herein to the Zoning Administrator at zoning@cityofmadison.com. (Note that that an individual email cannot exceed 20MB and it is the responsibility of the applicant to present files in a manner that can be accepted. Please email zoning@cityofmadison.com regarding questions or if you need alternative filing options) 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 to acknowledge the conditions of approval and returned to the Zoning Administrator.
3. 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.
4. The conditional use approval is valid for one (1) year from the date of the Plan Commission approval. During this time, the applicant must either lawfully commence the use or obtain a building permit and begin erecting the building. If the applicant obtains a valid building permit, construction must commence within six (6) months of the date of issuance. The building permit shall not be renewed unless construction has commenced as is being diligently prosecuted.
5. Any alteration in plans for a proposed alternative use shall require Plan Commission approval, except for minor alterations. The Zoning Administrator may issue permits for 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 City Plan Commission and the conditional use approval standards.

6. The Plan Commission retains continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses.

If you have any questions regarding obtaining your conditional use or building permits, 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 243-0455.

Sincerely,



Colin Punt
Planner

cc: Jenny Kirchgatter, Asst. Zoning Administrator
Brenda Stanley, City Engineering Division
Jeff Quamme, City Engineering Division – Mapping
Sean Malloy, Traffic Engineering Division
Bill Sullivan, Fire Department
Ann Freiwald, Parks Division
Jeff Belshaw, Water Utility
Brad Hofmann, Forestry Division
Tim Sobota, Metro Transit
Bryan Johnson, Streets Division

I hereby acknowledge that I understand and will comply with the above conditions of approval for demolition permits and conditional uses.

Signature of Applicant

Signature of Property Owner (if not the applicant)

| LNDUSE-2020-00094 | | | |
|---|----------------------|-------------------------------------|--------------------------|
| For Official Use Only, Re: Final Plan Routing | | | |
| <input checked="" type="checkbox"/> | Planning Div. (Punt) | <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 type="checkbox"/> | Fire Department | <input checked="" type="checkbox"/> | Water Utility |
| <input checked="" type="checkbox"/> | Metro Transit | <input checked="" type="checkbox"/> | Other: Forestry |