



Department of Planning & Development
Planning Unit

Website: www.cityofmadison.com

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May 4, 2005

Ray White
Dimension IV-Madison, LLC
313 West Beltline Highway, Suite 161
Madison, WI 53713

SUBJECT: 333 West Mifflin Street

Dear Mr. White:

The Common Council, at its May 3, 2005 meeting, conditionally approved your application for rezoning from PUD(SIP) to Amended PUD(SIP) for property located at 333 West Mifflin Street.

The conditions of approval are:

Please contact John Leach, City Traffic Engineering, at 266-4761 if you have questions regarding the following twenty items:

1. 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 elevation plans if the building exceeds four stories prior to sign-off to be reviewed and approved by Keith Lippert (266-4767), Traffic Engineering Shop, 1120 Sayle Street.
2. Staff understands that a condition of approval of the first phase SIP was that a traffic impact study would be completed for the second phase of development. To date staff have not yet received such a report. The Plan Commission will need to consider whether it wants to enforce this condition. The previous conditions of approval are noted below:
 - a. Consistent with the GDPs conditions of approval, the developer shall submit a multi-modal traffic impact study and improvement plan at the first stage of the development and thereafter stage-by-stage until the traffic study fully satisfies the Traffic Engineer's requirements. Among other things, the study will include an evaluation of the impact of traffic due to the development at the four intersections which may be impacted, such as Fairchild and Mifflin and Broom and Johnson. The traffic study should include two case studies of a worst case west side oriented directional approach by traffic and an east side oriented directional approach by traffic. This study should also include an evaluation of existing conditions at the subject intersections for all modes of transportation. The developer should also review driveway and service delivery operations on West Washington Avenue and Mifflin Street and/or other points of development

access. In addition to conducting a TIS for each next phase of the GDP, the TIS shall also study and compare the previous phase of development.

- b. Upon the review and approval of the traffic study findings and improvement plan by the City, the developer and the City shall agree upon the improvements, if any, to be made by the developer based on the City Traffic Engineer's review of the study. If the parties do not agree, the matter shall be referred to the Plan Commission. The developer shall enter into a developer's agreement for this with the City. The developer will also need to submit a deposit surety for conducting the traffic study by his consultant and a deposit surety for potential mitigation measures for the development which may include new traffic control, signing and marking; new traffic signals, signal phasing and/or signal hardware changes; pedestrian improvements at intersections, including West Washington and Henry Street; intersection or street improvements to minimize congestion and accommodate development traffic into and out of the site.
3. The applicant shall submit final site plans for all of the addresses 333 West Mifflin Street, 350 and 360 West Washington Avenue, site plans all showing the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing 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, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
4. The applicant shall provide scaled drawing at 1" = 30' or larger of the PUD(GDP) on one contiguous plan sheets showing all the facility's access, existing and proposed buildings, layouts of parking lots, loading areas, trees, signs semi-trailer and vehicle movements, ingress/egress easements and approaches.
5. The applicant shall provide number of total surface and ramp parking spaces in Phase 1 and Phase 2.
6. The applicant shall add GDP/SIP Zoning Text about the "All Secured Residential Parking Spaces are assigned." The parking facility shall be modified to provide for adequate internal circulation for vehicles except in Secured Residential parking. This can be accommodated by eliminating a parking stall at the dead ends in the ramp bays. The eliminated stall shall be modified to provide a turn around area ten (10) to twelve (12) feet in width and signed "No Parking Anytime."
7. The applicant shall submit detail sheets for the PUD(SIP) of semi-trailer movements that require no backing from the public street right-of-way in Phase 2.
8. All Class "III" driveway approaches with sidewalks, curb adjacent to driveways, and sidewalk reconstruction within the public right-of-way shall be completed in accordance with City of Madison Standard Specifications for Public Works Construction by a contractor currently licensed by the City.
9. All existing driveway approaches that are to be abandoned shall be removed and replaced with curb and gutter and noted for Phase 1 or 2 on the plan.
10. The applicant shall show the most westerly West Washington Avenue ingress lane to accommodate a loading and unloading lane at the building entrance. This loading and unloading area to accommodate day to day operations as delivery/taxi service. Also the area shall be signed as "15 Minutes Loading and Unloading Only."
11. "Stop" and "Right Turn Only" signs shall be installed behind the property line for West Washington Avenue and Broom Street approaches. Additional signs as "Do Not Block Sidewalk" shall be

required behind the property line for all approaches. "Do Not Enter" and "One Way" signs shall be installed in the facility to secure the traffic operation at access points and traffic flow in site. "Ramp Full" signs shall be installed at the entrances to advise vehicles do not pull in and back onto the street or block street. The applicant shall install mirrors at the exit points where vision is blocked by an obstruction. All guide signage shall be shown on the plans. The applicant shall show all signs and pavement markings on the plan.

12. The applicant shall submit with the parking lot plans a letter of operation of the type of ingress/egress control to the ramp and load dock area; a detail drawing of the areas showing queuing of at least three vehicles or two vehicles if gates or doors are closed from any approach that cars will not be blocking the sidewalk to the ramp and one (1) semi trailer truck to the garage door to the loading area. The applicant shall submit detail drawing of the ingress/egress areas showing signs, control devices, gates, and doors.
13. If parking to the general public is approved, provision shall be made to ensure that parking rates in the commercial project are coordinated with those in City facilities.
14. The developer shall enter into a subdivision contract and make improvements for the PUD(GDP-SIP) as determined by the City Traffic Engineer.
15. The site plans will need to recognize the thirty (30) foot setback along South Broom Street in a manner reviewed and approved by the Traffic Engineer. The applicant may need to modify the proposal, landscaping, signage, and building features from encroachment onto the setback line.
16. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.
17. The applicant shall execute a waiver of notice and hearing on special assessments for the future traffic signal and associated street improvements at the intersections the City plans to signalize. The traffic signal waiver shall also require a deposit for future area traffic signals and associated intersection changes.
18. The applicant shall remove, replace, and adjust street light poles on Broom Street and Mifflin Street adjacent to this project. The applicant shall install underground street lighting and communication conduit on Broom Street adjacent to this project. The applicant shall pay a deposit for the estimated costs to the City for time and materials associated with the above work.
19. The intersection shall be so designed so as not to violate the City's sight-triangle preservation requirement which states that on a corner lot no structure, screening or embankment of any kind shall be erected, placed, maintained or grown between the heights of 30 inches and 10-feet above the curb level or its equivalent within the triangle space formed by the two intersecting street lines or their projections and a line joining points on such street lines located a minimum of 25-feet from the street intersection in order to provide adequate vehicular vision clearance.
20. The developer shall post a deposit or reimburse the City for all costs associated with any modifications to Street Lighting, Signing and Pavement Marking including labor and materials for both temporary and permanent installations.

Please contact Gary Dallmann, City Engineering, at 266-4751 if you have questions regarding the following sixteen items:

21. Addresses must be approved by City Engineering.

22. Ownership clarification required.
23. The utility plan including the private storm sewer design, shall be submitted under the seal of a professional engineer.
24. The proposed storm sewer siphon structures shall be owned and maintained by the association. Maintenance of the siphon structures shall be included in the recorded stormwater maintenance documentations for the property.
25. Sanitary sewer work on Broom Street required via City-Developer Agreement.
26. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
27. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
28. **The Applicant shall make improvements to North Broom Street. The improvements shall consist of replacing all curb and gutter adjacent to the project.**
29. The approval of this Conditional Use does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
30. 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.
31. 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.
32. All work in the public right-of-way shall be performed by a City licensed contractor.
33. 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 7.5-tons per acre per year.
34. The Applicant shall submit, prior to plan sign-off, digital CAD files to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital copies shall be to scale and represent final construction.

CAD submittals can be either AutoCAD (dwg), MicroStation (dgn) or Universal (dxf) formats and contain the following data, each on a separate layer name/level number:

- 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.)

NOTE: Email file transmissions preferred lzenchenko@cityofmadison.com

35. Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.
36. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.

Please contact Kathy Voeck, the Assistant Zoning Administrator, at 266-4551 if you have questions regarding the following two items:

37. Meet applicable State accessible and building codes and setbacks.
38. Provide 185 bike-parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The bike racks shall be securely anchored to the ground or building to prevent the racks from moving. NOTE: Bike stalls shall be a minimum dimension of 6' x 2' with a 5' access to the stalls.

Please contact Pete Olson of the Planning Unit staff at 266-4635 if you have questions regarding the following six items:

39. Proof of financing capability acceptable to the Director of the Department of Planning and Development prior to sign-off and recording of the PUD(SIP).
40. Clarification of the ownership of the Phase II development.
41. Approval of plans and specifications for the garage rooftop by the Inspection Unit to ensure that the rooftop garden/open space will not leak through to lower levels of the parking structure.
42. Approval of the ingress and egress to the commercial loading docks by the Traffic Engineer.
43. Clarification of the number of parking stalls which may not be able to be provided because of the existing parking declaration (a potential loss of 6 stalls) and a clarification of the plans for the fourth floor of the new parking structure, which seem to conflict with a current exercise room and storage area.

44. A careful review of the construction plans by the Inspection Unit and approval of the plans to connect the Phase II building and parking structure to portions of the Phase I building and parking structure. These reviews should specifically address the concerns addressed by Phase I condominium association owners.

Please contact the Madison Water Utility at 266-4651 if you have questions regarding the following two items:

45. The Madison Water Utility will design a water service lateral connection to the public water main in West Mifflin Street. The developer shall be responsible for all costs associated with this work, including paying all Madison Water Utility design and inspection fees.

46. The Water Utility will not need to sign off on the final plans, nor need a copy of the approved plans.

Please contact Si Widstrand, City Parks Division, at 266-4711 if you have questions regarding the following four items:

47. Park fees have previously been paid for 136 of the 164 units. The developer shall pay \$46,371.08 for park dedication and development fees for the remaining 28 units.

48. Park Fees shall be paid prior to SIP sign-off.

49. Calculation of fees in lieu of dedication plus park development fees:

Park dedication = 28 multi-family @ 700 square feet/unit = 19,600 square feet. The developer shall pay a fee in lieu of dedication based on the land value of the square footage of parkland required (up to a maximum of \$1.65/square foot). Estimated fee is \$32,340.00

Park Development Fees = (28 @ \$501.11) = \$14,031.08

TOTAL PARK FEES = \$46,371.08

50. 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 Scott Strassburg, Madison Fire Department, at 266-4484 if you have questions regarding the following two items:

51. The fire lanes shown on the site plans do not comply with Comm 62.0509, and/or MGO Chapter 34; the owner must revise the plans or apply for and receive approval of a Petition for Variance from the Board of Building Code, Fire Code and Licensing Appeals prior to construction of the project. If the Board does not approve the Petition for Variance, then the owner must submit a new application for approval of revised plans.

52. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows:

a. The site plans shall clearly identify the location of all fire lanes.

b. Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.

Mr. R. White

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Approval of the SIP 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. The trees shown in the street rights-of-way shall not be shown on the sign-off plan or construction plans unless they have previously been approved by the City Forester. If these are existing street trees or species and locations that have been approved by the Forester, they shall be so labeled on plans.

After the plans have been changed as per the above conditions, please file eight (8) sets of the complete site plans, building elevation and floor plans 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 the Zoning staff to the City department staff listed above for their signature of final approval.

When these conditions have been satisfied, bring in the revised plan originals to obtain signatures on the cover sheet from the following reviewing departments: City Engineering, Traffic Engineering, Zoning and Planning. After this is accomplished, submit the final plans and documents for recording to the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard.

Upon receipt of the aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds Office. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process.

If this plan is not recorded within one year of the date of approval by the Common Council, the approval shall be null and void.

No construction or alteration of the property included in this application shall be permitted until a Specific Implementation Plan (SIP) has been approved and recorded.

Within thirty (30) months of Common Council approval of the General Development Plan or within eighteen (18) months of the recording of the Specific Implementation Plan, whichever is less, the basis right of use for the areas, when in conformity with the approved Specific Implementation Plan, shall lapse and be null and void unless the project, as approved, is commenced by the issuance of a building permit. If a new building permit is required pursuant to Sec. 28.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain Specific Implementation Plan approval.

If you have any questions regarding recording this plan or obtaining permits, please call Kathy Voeck, Acting Zoning Administrator, at 266-4551.

Sincerely,

Peter Olson
City Planner

Traffic Engineering
City Engineering
Zoning
Planning
Parks Division
Fire Department

c: Zoning Administrator
City Engineering
Traffic Engineering
Cliff Fisher, Fisher Development, 380 W. Washington Ave., Madison, WI 53703