



PREPARED FOR THE URBAN DESIGN COMMISSION AND PLAN COMMISSION

Project Address: 300 S. Bedford Street and 302-304 Dow Court
Application Type: Zoning Map Amendment, Demolition Permit, Conditional Use and Vacation
Legistar File ID # [33437](#), [32924](#) and [33139](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicant & Property Owner: Mike Dillis, J. H. Findorff & Son, Inc.; 300 S. Bedford Street; Madison.

Agent: Robert Mangas, Potter Lawson, Inc.; 749 University Row, Suite 300; Madison.

Requested Actions: Approval of a request to rezone 300 S. Bedford Street and 302-304 Dow Court from UMX (Urban Mixed-Use District) and PD (Planned Development District) to PD and approval of a general development plan and specific implementation plan to allow construction of an addition to an existing office building and a separate 80-unit apartment building following demolition of a single-family residence at 304 Dow Court. The subject site is adjacent to Brittingham Park, which also requires that a conditional use be granted for the project. The applicant is also seeking approval of the vacation/ discontinuance of the remaining 66 feet of Dow Court adjacent to W. Wilson Street.

Proposal Summary: The applicant, J.H. Findorff & Son, Inc., is requesting approval to build a 22,612 gross square-foot addition to their existing three-story office building located at the southeastern corner of the overall block adjacent to the intersection and S. Bedford Street and North Shore Drive and a separate five-story, 80-unit apartment building at the northwestern corner of the overall site along W. Wilson Street. The overall development will share a 266-stall parking facility located between the two buildings. Construction of the office addition and apartment building will commence as soon as all regulatory approvals have been granted, with completion scheduled for August 1, 2015. The general development plan also calls for a 45,000 gross square-foot addition at the western end of the office building, which may be constructed at a later date.

Applicable Regulations & Standards: Section 28.182 of the Zoning Code provides the process for zoning map amendments. The approval process and standards for Planned Development districts is outlined in Section 28.098 of the Zoning Code. Per Section 28.139 of the Zoning Code, non-residential development within 200 feet of the boundary of a City-owned park shall be reviewed as a conditional use. Section 28.183 of the Zoning Code provides the process and standards for the approval of conditional use permits. Section 28.185 provides the process and standards for the approval of demolition and removal permits.

Review Required By: Urban Design Commission, Plan Commission, Board of Public Works and Common Council.

Summary Recommendation: The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00118, rezoning 300 S. Bedford Street and 302-304 Dow Court from UMX and PD to PD, to the Common Council with a recommendation of **approval**, and **approve** a demolition permit and conditional use to allow demolition of a single-family residence at 304 Dow Court and construction of an addition to an existing office building and a separate 80-unit apartment building on a parcel adjacent to Brittingham Park following a recommendation by the Urban Design Commission and subject to input at the public hearing and the conditions from reviewing agencies beginning on page 6 of this report.

Staff also recommends that the Plan Commission recommend **approval** of the vacation of Dow Court to the Board of Public Works and Common Council.

Background Information

Parcel Location: The subject site is a 3.26-acre parcel generally bounded by S. Bedford Street on the east, North Shore Drive on the south, Wisconsin Southern railroad and the Southwest Path on the west, and W. Wilson Street on the north, Aldermanic District 4 (Verveer); Madison Metropolitan School District.

Existing Conditions and Land Use: The existing Findorff office building is a three-story, 38,272 square-foot structure with a combination of structured and surface parking addressed as 300 S. Bedford Street and zoned PD (Planned Development District). The site also includes a two-story single-family residence at 304 Dow Court and a temporary surface parking located parallel to the railroad and path, which are both zoned UMX (Urban Mixed-Use District). The block is also developed with the four-story National Conference of Bar Examiners office building, which shares access to its surface and structured parking with the Findorff building but is not part of this application.

Surrounding Land Uses and Zoning:

North: Single-, two-, and multi-family residences on the north side of W. Wilson Street, zoned DR-2 (Downtown Residential 2 District); Wisconsin Southern railroad; 640 West Apartments, zoned PD;

South: Brittingham Park, Brittingham Boathouse and North Shore Drive, zoned PR (Parks & Recreation District);

West: Wisconsin Southern railroad and Southwest Path; Tobacco Warehouses and SEVEN27 Apartments west of the railroad corridor and path, zoned PD;

East: Offices and residential units in a converted warehouse, zoned UMX (Urban Mixed-Use District).

Adopted Land Use Plans: The Comprehensive Plan identifies the subject site within the Findorff Yards Downtown Mixed-Use Sub-district, which recommends development of mixed-use buildings, office/service uses, neighborhood-oriented commercial uses and multi-family housing at densities up to 60 units an acre in two- to four-story buildings, as recommended in more detailed neighborhood plans.

The 2012 Downtown Plan includes the subject site in the Tobacco Warehouse neighborhood/ sub-district, with the area south of W. Wilson Street identified for predominantly employment development; the area directly north of Wilson is recommended for predominantly residential development. The Downtown Plan encourages the continued revitalization of the sub-district with residential and employment uses in a combination of new and restored historic structures. The area generally bounded by Proudfit Street, North Shore Drive, W. Wilson Street and S. Bedford Street is recommended for buildings up to 6 stories in height, with a potential for 2 bonus stories. The Parcel Analysis in the Plan also identifies the vacant western portion of the subject site as a potential redevelopment/ infill site.

Zoning Summary: The site will be zoned PD with this request. The project will be reviewed in the following sections.

Other Critical Zoning Items	
Yes:	Urban Design (PD zoning), Utility Easements, Barrier Free, Adjacent to a Park
No:	Floodplain, Wellhead Protection, Waterfront Development, Landmark

Prepared by: Pat Anderson, Asst. Zoning Administrator

Environmental Corridor Status: The property is not located within a mapped environmental corridor. Brittingham Park is identified as public land, and the portion of the park located across North Shore Drive from the site is located within a mapped corridor (see Map E8).

Public Utilities and Services: The site is served by a full range of urban services, including weekday Metro Transit service nearby on W. Washington Avenue and S. Bassett Street.

Previous Approvals

On October 3, 2000, the Common Council approved a request to rezone a 1.94-acre site located on the west side of S. Bedford Street between W. Wilson Street and North Shore Drive from R4 (General Residence District) and M1 (Limited Manufacturing District) to PUD-GDP-SIP [1966 Zoning Code] to allow demolition of 4 single-family residences, a storage building and equipment yard to allow construction of a 38,477 square-foot office building for the J. H. Findorff & Son construction company on the southern portion of the property adjacent to the northwestern corner of S. Bedford Street and North Shore Drive, with future development of a multi-family residential building on the northern portion of the site at the southwestern corner of W. Wilson and S. Bedford streets.

On June 7, 2004, the Plan Commission approved a demolition permit to allow demolition of two warehouses and one garage located at 636-639 W. Wilson Street and 633-639 W. Doty Street. At the same meeting, the Commission referred a conditional use request for a temporary, accessory parking lot to be located at 636 W. Wilson Street and 633-639 W. Doty Street sites.

On May 21 2007, the Plan Commission approved a demolition permit to allow 4 single-family residences located at 308, 312, 318 & 334 Dow Court to be razed for future development.

Supplemental Requirements

Section 28.139, Development Adjacent To Public Parks: Nonresidential development within 200 feet of the boundary of a City-owned public park shall be reviewed as a conditional use. The purpose of this requirement is to assess the impact of proposed development on natural resources, drainage patterns, pedestrian traffic and recreational uses of the park. Conditional use applications shall include the following:

- (a) A complete inventory of vegetation in any area proposed for development within 100 feet of the park boundary.
- (b) Any proposed cutting of trees or removal of vegetation within 100 feet of the park boundary. Removal of vegetation may be limited within 35 feet of the park boundary.
- (c) Grading and drainage within 35 feet of the park shall be reviewed for its effect on drainage patterns and vegetation within the park.

Project Description

J. H. Findorff & Son, Inc. is requesting approval of a request to rezone a 3.26-acre parcel from UMX and PD to an expanded PD district to allow construction of a three-story, 22,612 gross square-foot addition to their existing

three-story office building located at the southeastern corner of the overall block adjacent to the intersection and S. Bedford Street and North Shore Drive and a separate five-story, 80-unit apartment building at the northwestern corner of the overall site at the western end of W. Wilson Street. The expanded office building and new apartment building will share a 266-stall parking facility located between the two buildings.

Construction of the apartment building will require demolition of the two-story single-family residence at 304 Dow Court, which was constructed in 1911 and contains 4 bedrooms and 1 bathroom according to City records. Photos of the residence are included in the application materials for this project, and show a structure of similar character as 4 other homes demolished on Dow Court in 2007 in anticipation of future development on the subject block. The Landmarks Commission informally reviewed the proposed demolition at its November 25, 2013 and noted with concern the continuing loss of railroad related properties such as 304 Dow Court.

The applicant is also requesting the vacation of the remaining 66 feet of Dow Court immediately south of W. Wilson Street to facilitate the proposed development. Dow Court was vacated as a City right of way in April 2006 with the exception of the 66 feet now being vacated, though a utility corridor was reserved extending north-south through the block.

The 266 parking stalls in the proposed development will be served by 3 driveways, including an existing driveway at the end of Dow Court adjacent to the National Conference of Bar Examiners (NCBE) building that provides access to approximately 46 "surface" parking stalls located between the existing Findorff and NCBE buildings. An existing driveway and speed ramp from S. Bedford Street currently provides access to approximately 64 existing stalls located beneath the Findorff building and 78 stalls beneath the NCBE building. The same driveway will provide access to 87 new stalls proposed below the proposed apartment building. A new driveway is proposed from North Shore Drive across Brittingham Park to provide access to the new lower parking level, which the plans indicate may be expanded in the future to accommodate 72 additional parking stalls. The driveway from North Shore Drive is proposed to permanently replace a gravel driveway that previously served the A. J. Sweet Warehouse. Final approval of the new driveway will require separate approval of a lease across the park by the Board of Park Commissioners and the Common Council. Twenty interim surface stalls are shown along the driveway from North Shore Drive west of the Findorff building and south of the proposed apartment building.

The first floor of the proposed 80-unit apartment building will include 32 parking stalls accessed from a separate driveway located off the cul-de-sac of W. Wilson Street as well as a resident entrance, fitness room, storage and office space. On each of the 4 floors above, the building will include 12 one-bedroom apartments, 7 two-bedroom apartments, and 1 three-bedroom apartment.

The apartment building will primarily be clad in cream-colored standard brick located above a prominent large-format gray brick base, with metal or wood panel accents. The addition to the Findorff office building will continue the architectural character and be clad in the same materials as the existing building. Staff believes that both buildings are generally well-designed, though it is recommending that minor modifications to the apartment building exterior be explored (see Recommendations section).

Analysis

The construction of the addition to the Findorff office building and 80-unit apartment building on the subject site represents the culmination of nearly 20 years worth of planning and redevelopment in the greater "Findorff Yards" area generally located west of S. Bedford Street and south of W. Main Street and adjacent to Brittingham Park on both sides of the railroad and Southwest Path. During that time, a number of employment and medium-

to high-density residential projects have been developed, many of which replaced a series of older one- and two-story residential structures that formerly dominated the area. Those projects included the redeveloped Tobacco Warehouse Apartments, new apartment buildings located adjacent to the railroad/ path corridor, and the Findorff and NCBE office buildings.

The current proposal represents the continued evolution of the block bounded by W. Wilson Street, S. Bedford Street, North Shore Drive and the railroad/path corridor over the last 20 years. Originally, the Planned Development zoning for the eastern half of the block called for between 28 and 40 dwelling units to be constructed in one or more buildings along the W. Wilson Street frontage of the site where the NCBE office building is now, which replaced an older, smaller office building. At the time that the plans were presented for the Findorff headquarters to the south, two concept plans for the site and the rest of the Findorff ownership west of the site were developed. Findorff, which historically controlled most of the properties extending from S. Bedford Street west to Proudfit Street between W. Main Street and North Shore Drive, offered a plan for approximately 475 dwelling units in about a dozen buildings under their ownership known as the Findorff Yards Conceptual Master Plan (attached). That plan area included the former Tobacco Warehouses, which have since been redeveloped as apartment units by Urban Land Interests, and the Fourth Ward Lofts on W. Main and W. Doty streets, which were developed by Todd and Lance McGrath. The Conceptual Master Plan placed an emphasis on medium-density buildings with structured parking similar to Fourth Ward Lofts. The portion of the conceptual plan area where the apartment building is now proposed was shown as a series of three- to four-story residential buildings with under-building parking and at least 92 dwelling units extending along W. Wilson Street and the railroad/ path corridor in a fashion very similar to the layout of the proposed building.

A second plan for approximately the same area known as the Findorff Yards Site Study (attached) called for the development of approximately 225 residential units in an area bounded by Proudfit Street, North Shore Drive, W. Wilson and S. Bedford streets and included the Tobacco Warehouses. The Site Study placed a greater emphasis on creating a more “neighborhood” feel through more extensive uses of townhouse development (and less emphasis on placing all parking in relatively more expensive underground parking) than the Conceptual Master Plan, though both plans called for a nine-story residential tower overlooking Brittingham Park and Lake Monona to be developed on the portion of the Findorff ownership where North Shore Drive curves around and becomes Proudfit Street. The portion of the site where the apartment building is proposed was identified in the Site Study for the development of townhouse-style buildings west of Dow Court and south of W. Wilson Street, with rear-access garages facing the railroad/ path corridor. A multi-story apartment building was shown at the southwestern corner of this block.

Overall, the Planning Division believes that the proposed rezoning of the entire property to the PD district and the final projects proposed for the block are consistent with most of the plan recommendations applicable to the subject site, including the Downtown Plan and Comprehensive Plan recommendations for the Findorff Yards/ Tobacco Warehouse sub-districts, which generally call for the continuation of the employment and residential development pattern of the last 15-20 years. While the Comprehensive Plan recommended that development in this area be largely limited to two- to four-story buildings, the Downtown Plan identified that new buildings in the area could be built up to six stories, with the possibility for two additional stories. Staff believes that the proposed developments on the block are generally consistent with these recommendations, as well as the development patterns encouraged by the Conceptual Master Plan and Site Study.

The proposed demolition of the residence at 304 Dow Court is consistent with the planned development for Findorff Yards approved in 2000 for the block, which anticipated demolition of the residences located along Dow Court to accommodate future development. While staff has no information that would indicate that the house is

not structurally sound or capable of being rehabilitated or repaired, the addition to the office building and proposed apartment building will allow this site to be more economically productive for the foreseeable future.

Conclusion

In closing, the proposed addition to the Findorff office building and the proposed apartment building along W. Wilson Street are well-designed overall and reflect the continuation of the strong, urban architectural character that has emerged through the various new developments that have been built in the Findorff Yards/ Tobacco Warehouse area in recent years. The Planning Division believes that the zoning map amendment, demolition permit and conditional use for development adjacent to Brittingham Park are consistent with the various plan recommendations for this area, and that the development can meet the myriad standards for approval subject to the conditions recommended in the following section, which include a series of comments by the Parks Division intended to mitigate any potential impacts from this development on the park.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission recommend approval of the vacation/ discontinuance of Dow Court (ID 33139) to the Board of Public Works and Common Council.

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00118, rezoning 300 S. Bedford Street and 302-304 Dow Court from UMX and PD to PD, to the Common Council with a recommendation of **approval**, and **approve** a demolition permit and conditional use to allow demolition of a single-family residence at 304 Dow Court and construction of an addition to an existing office building and a separate 80-unit apartment building on a parcel adjacent to Brittingham Park following a recommendation by the Urban Design Commission and subject to input at the public hearing, the following Planning Division condition(s) and the conditions from reviewing agencies:

1. The development plans shall be revised for final Planning Division approval prior to recording and the issuance of building permits as follows:
 - 1a. Provide a detail of how the 20% required open space in Section 28.098 of the Zoning Code is being provided for this development, including all applicable yard spaces and all porches and balconies, but not including the surface parking area;
 - 1b. Explore revising the metal panel or wood elements on the apartment building to both streamline the window patterning (eliminate “zipper” windows) in the center section and explore a color that better contrasts with the cream-colored brick, gray CMU and aluminum window system;
 - 1c. Explore creating additional openings on all four sides of the apartment building, including creating more transparency along W. Wilson Street and facing the Southwest Path.
2. The zoning text shall be revised for final Planning Division approval prior to recording and the issuance of building permits as follows:
 - 2a. Revise the Signage section to state that signage shall be limited to the maximum permitted in the DR-2 zoning district for the residential uses and as per UMX zoning district for the commercial uses and as approved by the Urban Design Commission or its secretary, and the Zoning Administrator;
 - 2b. A family definition shall be provided; staff recommends that the definition as it applies in the DR-2 residential district be used.

The following conditions have been submitted by reviewing agencies:

City Engineering Division (Contact Janet Dailey, 261-9688)

3. The pending discontinuance/vacation of the remaining portion of Dow Court along with the conditions of the discontinuance/vacation shall be completed prior to final signoff of the related Certified Survey Map (CSM).
4. The pending CSM application and any conditions of approval thereof shall be completed and the CSM recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.
5. Note: The application materials state that there is to be a condominium to delineate subjects of real estate ownership and management between Findorff and the developer of the apartment building within this site. All condominium documents shall be submitted to the Planning Department for review by City of Madison agencies and approval prior to recording.
6. All easements/agreements encumbering or benefitting this site created/modified to fulfill the requirements of the approved site plan shall be recorded and copies provided prior to building permit issuance. All easements shall be shown and noted on the site plan.
7. There is private storm sewer shown on the plans that would lie within City park lands (along the southeast side of the site). If the storm sewer location is approved by the Parks Division and City Engineering Division, an easement/agreement shall be administered by the City of Madison Office of Real Estate services and recorded at the Dane County Register of Deeds. The easement and recording information shall be noted on the site plan.
8. There is a proposed driveway connection shown to North Shore Drive over City park lands. If the driveway connection is approved by the Parks Division, Traffic Engineering Division and City Engineering Division, an easement/agreement or lease shall be administered by the City of Madison Office of Real Estate services and recorded at the Dane County Register of Deeds. The easement/agreement or lease and recording information shall be noted on the final site plan.
9. The northeast half of the remainder of Dow Court to be vacated is to be conveyed from the National Conference of Bar Examiners to J.H. Findorff and Son Inc., adding a 20- X 66-foot area to the site. If this conveyance does occur, revise the zoning description and site plan(s) accordingly to include this area.
10. Show pertinent easements affecting the lower level parking structure on the Lower Level Site Plans.
11. Proposed Findorff Yards Apartments will have an address of 633 W. Wilson Street.
12. With the proposed street vacation of Dow Court, the sanitary sewer, storm sewer and water main, hydrants and laterals serving this development on Dow Court shall be considered private and will have private maintenance.

13. Public infrastructure construction or restoration may require a Developer's Agreement. Please contact Janet Dailey at 261-9688 to discuss the requirements further.
14. The applicant shall not be allowed to close the Southwest Path to facilitate construction of the project. A detailed staging and construction plan shall be approved by City Engineering and Traffic Engineering staff, which details the staging and phasing of the work.
15. 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 Engineering Division signing off on this project.
16. In accordance with 10.34 MGO, Street Numbers, submit a PDF of each floorplan to Lori Zenchenko (lzenchenko@cityofmadison.com) at Engineering-Mapping so that a preliminary interior addressing plan can be developed. 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.
17. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
18. The approval of this development 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.
19. 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.
20. The applicant shall 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.
21. All work in the public right of way shall be performed by a City-licensed contractor.
22. All damage to the pavement on W. Wilson Street, S. Bedford Street and North Shore Drive adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.

23. 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.
24. The applicant shall demonstrate compliance with Section 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 7.5-tons per acre per year.
25. Effective January 1, 2010, the Wisconsin Department of Commerce's authority to permit commercial sites for stormwater and erosion control has been transferred to the Wisconsin Department of Natural Resources (WDNR). As this site is greater than one acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the WDNR prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortved of the WDNR at 273-5612 to discuss this requirement. The City of Madison cannot issue an erosion control and stormwater management permit until concurrence is obtained from the WDNR.
26. The lots within this certified survey map are interdependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the Certified Survey Map and recorded at the Dane County Register of Deeds.
27. 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 off of the proposed development by 80% when compared with the existing site; provide oil & grease control from the first 1/2" of runoff from parking areas, 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.
28. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the City Engineering Division. (Lori Zenchenko) lzenchenko@cityofmadison.com. The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc.) are not to be included with this file submittal. E-mail file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.
29. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
30. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.

31. 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.
32. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering sign-off.
33. Prior to final approval of the demolition permit, the owner shall obtain a permit to plug each existing sanitary sewer and/ or storm sewer lateral that serves a building that is proposed for demolition. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing lateral that serves a building 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. Note: New plugging procedures and permit fees are in effect as of January 1, 2013

Traffic Engineering Division (Contact Eric Halvorson, 266-6527)

34. The Southwest Commuter Path shall be maintained for two-way travel at all times during construction.
35. When the applicant submits plans for approval, the applicant shall show the following on one contiguous plan: existing items in the terrace (e.g., signs and street light poles), type of surfaces, percent of slope, existing and proposed property lines, addresses, all easements, all pavement markings, building placement, adjacent driveway approaches to lots on either side and across the street, signage, semitrailer movements and vehicle routes, dimensions of radii, aisles, driveways, parking stall dimensions including the 2 feet overhang on a scaled drawing at 1" = 20'. Contact the Traffic Engineering Division if you have questions.
36. 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.
37. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by the Traffic Engineering Division 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. The applicant shall return one signed approved building elevation copy to the main Traffic Engineering Division office when submitting final plans for sign-off.
38. 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.
39. All parking facility design shall conform to the standards in MGO Section 10.08(6).

Zoning Administrator (Contact Pat Anderson, 266-5978)

40. Provide a detail of how the 20% required open space in Section 28.098 of the Zoning Code is being provided for this development.

41. Provide a reuse/recycling plan, to be reviewed and approved by the City's Recycling Coordinator, George Dreckmann, prior to a demolition permit being issued. MGO Section 28.185(7)(a)5 of the Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
42. Provide a minimum of 101 bike parking spaces distributed as both *Short Term* and *Long Term* bicycle parking, as required per Section 28.141(3) and 28.141(11) of the Zoning Code. Provide a detail of the bike rack design. Note: Current code requires a maximum of 21 spaces may be structured bike parking (wall-mount), where 32 spaces are being proposed. As this is a PD, the Plan Commission may approve structured parking amount as proposed.
43. This project is designed as a planned multi-use site. Pursuant to Section 28.137(2)(a), a planned multi-use site, shall have a plan and reciprocal land use agreement approved by the Traffic Engineer, City Engineer and Director of Planning and Community and Economic Development recorded in the office of the Dane County Register of Deeds.
44. Pursuant to Section 28.142(3)&(6), Landscape Plan and Design Standards: Landscape plans for zoning lots greater than 10,000 square feet in size must be prepared by a registered landscape architect. A planting island shall be located every 12 contiguous stalls with no break or alternatively, landscape strips at least 7 feet wide between parking bays. Note: Landscaping plans shows conflict between surface bike parking stalls for commercial building and proposed planting bed.
45. Redefine lot lines via Certified Survey Map. A property line cannot go through a building without a fire wall down the lot line pursuant to Section 705.1.1 of the International Building Code. The CSM shall be approved before sign off of final plans.
46. On the final plan sets, identify qualifying Usable Open Space areas, as defined in Section 28.211 that comply with requirements of Section 28.140.
47. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e). Final plans shall show the required accessible stalls, including van accessible stalls.
48. 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.
49. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Section 31, Sign Code prior to sign installations.

Fire Department (Contact Bill Sullivan, 261-9658)

50. Plans indicate an opening along the property line between National Conference of Bar Examiners and J.H. Findorff. This opening is prohibited by the IBC Chapter 7 and will need to be corrected as part of this project.

51. Please consider allowing the Madison Fire Department to conduct training sequences prior to demolition. Contact the MFD Training Division to discuss possibilities: Lt. Scott Bavery 576-0600.

Water Utility (Contact Dennis Cawley, 261-9243)

52. The Madison Water Utility shall be notified to remove the water meter prior to demolition. All operating private wells shall be identified and permitted by the Madison Water Utility and all unused private wells shall be abandoned in accordance with MGO Sec. 13.21.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not provide comments for this request.

Parks Division (Contact Kay Rutledge, 266-4714)

53. 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 after a credit is given for the existing single-family house on the property. The developer must select a method for payment of park fees before signoff on the rezoning. This development is within the Vilas-Brittingham impact fee district (SI27). Please reference ID# 14110 when contacting Parks Division staff about this project.

54. Driveway access to the new apartment building is identified from North Shore Drive and across Brittingham Park. Findorff does not currently have rights to this access; if this access is necessary for the project, the developer shall request a lease agreement to permit this access across Brittingham Park. This lease agreement will require separate Park Commission and Common Council approval.

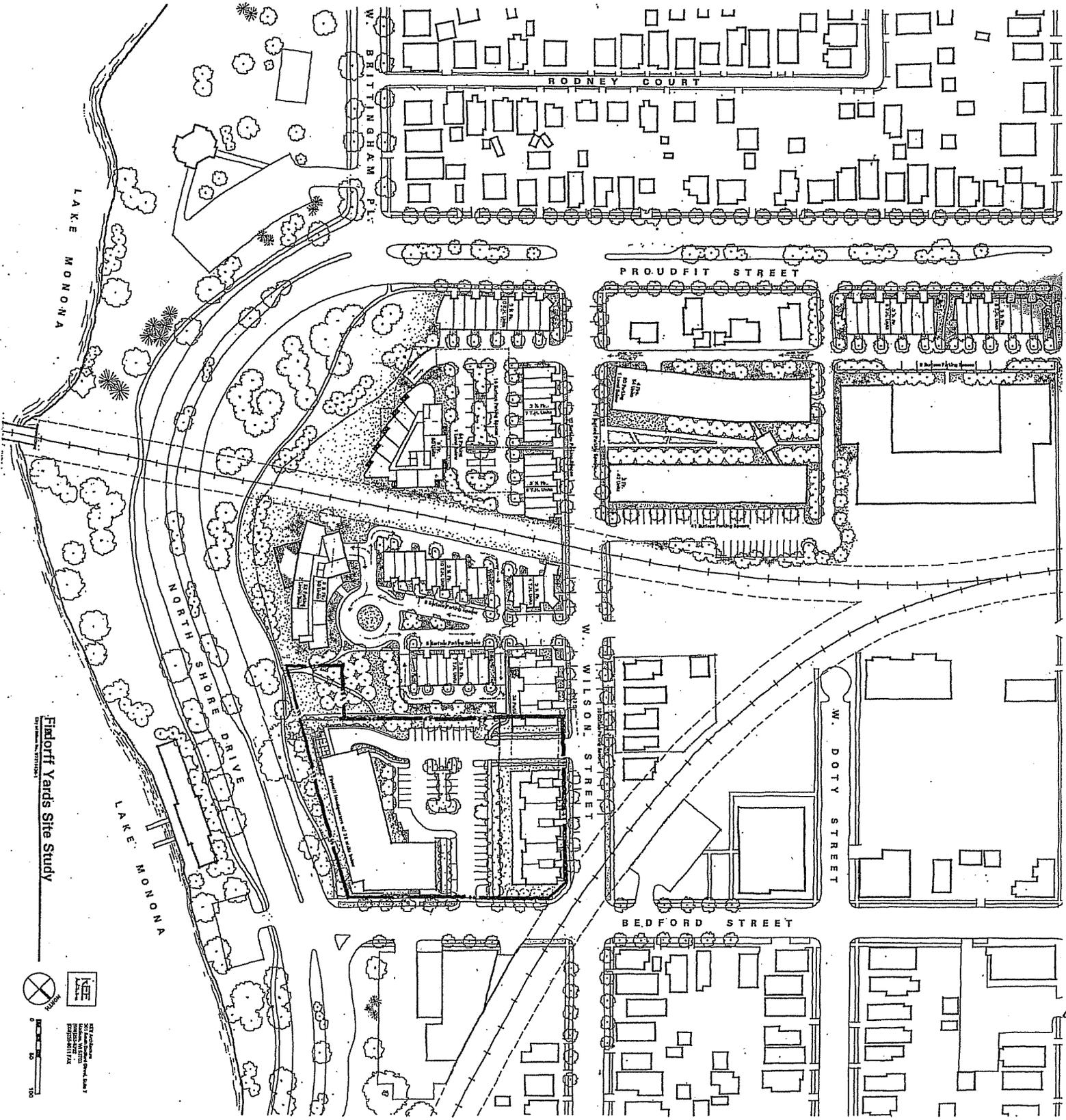
55. The developer shall coordinate proposed utility locations that are currently shown on parkland (including water, storm, electric and gas), with the Parks Division. Utilities should be routed on Findorff's property to the extent possible. All stormwater from the new development shall be contained within the property.

56. The developer is proposing to remove the existing dry stack retaining wall along the south property line. The developer shall obtain a Temporary Limited Easement (TLE) to grade on park property and pay any necessary costs for this temporary easement. The developer shall provide detailed demolition, grading and site restoration plans for review and approval by the Parks Division prior to the start of work. The limits of the easement shall be clearly delineated on site, with construction fencing outlining the area to ensure grading does not extend beyond those limits. All work occurring in Brittingham Park shall meet Public Works Standard Specifications.

57. The developer shall identify if any trees are proposed to be removed on parkland, including size and species; all existing trees within 40 feet of the proposed work shall be inventoried with regard to species, location, size and health. Once this information is provided the request will be evaluated further by Parks staff, including the City Forester. Any reduction in tree canopy in the city should be discouraged. The developer is required to submit a tree preservation plan, and potentially a replanting plan if removal of trees on parkland cannot be avoided, both to be approved by the Parks Superintendent prior to final signoff of the rezoning.

58. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Please submit an existing inventory of trees (location, species, & DBH) and a tree removal plan (in PDF format) to Dean Kahl – dkahl@cityofmadison.com or 266-4816. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.

59. 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 the City of Madison Standard Specifications for Public Works Construction.



Findorff Yards Site Study