



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

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January 11, 2008

J. Randy Bruce
Knothe & Bruce Architects, LLC
7601 University Avenue, Suite 201
Middleton, Wisconsin 53562

RE: Approval of a request to rezone 301-309 N. Mills Street and 1022 W. Johnson Street from R6 (General Residence District) to Planned Unit Development, General Development Plan/ Specific Implementation Plan (PUD-GDP-SIP) to allow demolition of two residential buildings and construction of a 14-story, 163-unit apartment building (John Leja).

Dear Mr. Bruce:

At its January 8, 2008 meeting, the Common Council **conditionally approved** your client's application to rezone property located at 1022 W. Johnson Street from R6 to PUD-GDP-SIP. The following conditions of approval shall be satisfied prior to final approval and recording of the planned unit development:

Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following twenty-seven (27) items:

1. Submit CAD file and PDF file to lzenchenko@cityofmadison.com to coordinate the address plan for this proposed planned unit development.
2. Any damage to street pavement will require restoration in accordance with the City's patching criteria.
3. Show property lines and right-of-way lines on all floor plans.
4. Consistent with the property to the west, the developer shall dedicate a three-foot wide sidewalk easement along W. Johnson Street.
5. The applicant shall show contours/grades at the entrance to the underground parking to show how the area will be kept free of flooding risks.
6. Downspout locations shall be shown and connected to the public storm system.
7. Provide details and Engineer-stamped plans for any proposed pumping of stormwater.
8. If proposed sewer lateral is 8-inch diameter, the developer shall construct a new sanitary manhole.
9. 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.

10. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
11. The approval of this project 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.
12. 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.
13. 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.
14. The applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
15. A City licensed contractor shall perform all work in the public right of way.
16. 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.
17. The City of Madison is an approved agent of the Department of Commerce. This proposal contains a commercial building and as such, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the Wisconsin Department of Natural Resources is required.
18. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to 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 the Madison General Ordinances.
19. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.

20. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the 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. Email file transmissions preferred. Please include the site address in this transmittal. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format.
21. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, 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).
22. The applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.
23. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
24. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.

Applications for the three above permits (#21-23) are available on line at:
<http://www.cityofmadison.com/engineering/permits.cfm>.

25. Prior to final approval of the project, 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.
26. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering 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 two working days prior to requesting City Engineering signoff.
27. 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.

Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions about the following fifteen items:

28. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be review by Traffic Engineer to accommodate the microwave sight and building. The applicant shall submit grade and elevations 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 City of Madison Traffic Engineering office with final plans for signoff.

29. A condition of approval shall be that no residential parking permits shall be issued for 1022 W. Johnson Street, this would be consistent with other projects in the area. In addition, the applicant shall inform all tenants of this facility of the requirement in their apartment leases and record in zoning text. The applicant shall note in the Zoning Text that no residential parking permits shall be issued. In addition, the applicant shall submit a copy of the lease for 1022 W. Johnson Street noting the above condition in the lease when submitting plans for City approval.
30. The approval of this facility does not include the approval of the as proposed improvements in the street right-of-way. The applicant should remove all proposed improvements in the right-of-way on the site plan sheets or note: "All right of way improvements require separate approval by the Board of Public Works and Common Council for the public right-of-way changes to be requested by the developer."
31. The developer shall work with the City to resolve construction-related issues prior to submitting final plans for approval. The site has limited areas on and off site for construction-related use, W. Johnson Street traffic lanes, pedestrian sidewalk and bike lanes shall be maintained during building construction. Staff cannot commit to anything until it can perform a detailed review with the applicant.
32. The applicant shall indicate the type of bicycle racks to be installed both inside and outside.
33. The applicant shall provide an area for visitor outside and inside tenant moped parking spaces and access. Moped standard parking spaces recommend 4 feet in width and 6 feet in length with a 6-foot access aisle.
34. When the applicant submits final plans for approval, the applicant shall show 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), signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two-foot overhang, and a scaled drawing at 1" = 20'.
35. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
36. "Stop" and "One Way " signs shall be installed at a height of six (6) feet to the bottom of the first sign at the driveway approach to W. Johnson Street. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
37. 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.
38. The applicant shall design the underground parking areas for stalls and backing up according to Figures II of the ordinance using the 9' or wider stall for the commercial/retail area. The "One Size Fits All" stall shall be used for the residential parking area only, which is a stall 8'-9" in width by 17'-0" in length with a 23'-0" backup. Aisles, ramps, columns, offices or work areas are to be excluded from these rectangular areas, when designing underground parking areas. The applicant shall modify the underground parking backup 23 ft to exclude columns. In addition, the applicant shall dimension 306 N. Brooks Street modified parking spaces along the driveway to W. Johnson Street.

39. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
40. The applicant shall redesign the W. Johnson Street driveway approach according to the design criteria for a "Class III" driveway in accordance to MGO Section 10.08(4). In addition, the applicant shall dimension the approach and flares according to MGO.
41. The developer shall post a deposit and reimburse the City for all costs associated with any modifications to traffic signals, street lighting, signing and pavement marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
42. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact Matt Tucker, Zoning Administrator, at 266-4551 if you have questions regarding the following six items:

43. Provide 162 bicycle parking spaces (one per dwelling unit).
44. Work with Planning and Zoning staff to identify additional areas for bicycle and scooter parking, as well as to devise methods to restrict bicycle and scooter parking from terrace and other non-designated areas on the site.
45. Provide building height, in city datum, on final submitted plans.
46. Meet all applicable State accessible requirements, including but not limited to:
 - a.) Provide a minimum of four accessible stalls striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent.
 - b.) Show signage at the head of the stalls.
 - c.) Show the accessible path from the stalls to the elevator. Parking stalls shall not block the entry to the elevators.
47. In the zoning text, identify accessory off-site parking for the adjacent church as a permitted use. Provide further definition of the shared parking agreement, along with copies of the recorded easements or agreements for the shared parking.
48. Provide a reuse/recycling plan, to be reviewed and approved by the City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permit being issued.

Please contact Scott Strassburg, Madison Fire Department, at 261-9843 if you have questions about the following item:

49. 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 an aerial apparatus access fire lane that is at least 26 feet wide, with the near edge of the fire lane within 30 feet of the structure, and parallel to one entire side of the structure if the building is over 30 feet in height.
 - c.) Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.

Please contact my office at 261-9632 if you have questions about the following four items, including the condition of approval added by the Common Council (#53):

50. That the zoning text be revised per Planning Division approval as follows:
 - a.) that the list of uses be revised to note “ multi-family residential uses as shown on the approved plans;”
 - b.) signage shall be limited to the maximum permitted in the R6 zoning district, as approved by the Urban Design Commission and Zoning Administrator.
51. That the applicant provide a cross-access easement and maintenance agreement for the shared driveway between the proposed apartment development and adjacent Porchlight property at 306 N. Brooks Street prior to the final approval and recording of the planned unit development. These easement agreements shall be executed by the owners of both properties and be in a form approved by the Planning Division.
52. The building at 307-309 N. Mills Street shall be preserved and relocated. All land use approvals and permits for the relocation shall be approved prior to recording the PUD. The applicant shall make every effort to relocate the building at 1022 W. Johnson Street. If the building cannot be relocated by March 15, 2008, the building may be demolished. The applicant shall provide a report to the Plan Commission on their efforts to relocate the building.
53. In the event the proposed relocation site on E. Mifflin Street is not yet ready to receive the relocated structure currently located at 309 N. Mills Street, the applicant may record the PUD-GDP-SIP and CSM for the 1022 W. Johnson St Project and may proceed with the relocation of the structure currently at 309 N. Mills Street to a temporary location until such time as the it can be moved to it's new permanent location.

Note that any applicable park fees are payable prior to the recording of the PUD or within 14 days of the issuance of building permits. Please contact Si Widstrand at 266-4711 for information on any fees due and the process for paying them.

Approval of 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.

After the plans have been changed as per the above conditions, please file **eight (8) sets** of the revised, complete site plans, building elevations, floor plans and any other documentation requested herein 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.

A reuse and recycling plan approved by the Recycling Coordinator is required by ordinance prior to the issuance of a wrecking permit. The reuse and recycling plan shall be submitted along with the resubmittal of site plans for forwarding to the Recycling Coordinator.

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-six (36) months of Common Council approval of the general development plan, the basic right of use for the areas, when in conformity with the approved specific implementation plan, shall lapse and be null and void unless 1) the project, as approved, is commenced by the issuance of a building permit, or 2) if an application for an extension is filed at least thirty (30) days prior to the expiration of the thirty-six (36) month period and the Plan Commission, after a public hearing pursuant to Sec. 28.12(10)(e), determines that no changes in the surrounding area or neighborhood since approval of the general development plan render the project incompatible with current conditions and grants an extension of up to twenty-four (24) months in which to obtain a building permit. In no case shall an extension allow a building permit to be issued more than sixty (60) months after approval of the general development plan by the Common Council. If a new building permit is required pursuant to sec. 29.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain general development plan approval and specific implementation plan approval.

If you have any questions regarding recording this plan or obtaining permits, please call Matt Tucker, Zoning Administrator, at 266-4551. If I may be of any further assistance, please do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks
Planner

- cc: Matt Tucker, Zoning Administrator
- Janet Dailey, City Engineering
- John Leach, Traffic Engineering
- George Dreckmann, Recycling Coordinator
- Si Widstrand, Parks Division
- Scott Strassburg, Madison Fire Department

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Division (Parks)	<input type="checkbox"/>	CDBG Office
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Parks Division (Park fees)
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Recycling Coordinator (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: