



Department of Planning & Development  
**Planning Unit**

Website: [www.cityofmadison.com](http://www.cityofmadison.com)

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January 5, 2007

Ed Banks  
BESHM Investment Group, LLC  
1610 Gilson Street  
Madison, Wisconsin 53715

RE: Approval of a request to rezone 1516–1610 Gilson Street & 1507 Beld Street from C3 (Highway Commercial District) to Planned Unit Development, General Development Plan/ Specific Implementation Plan (PUD-GDP-SIP) to allow demolition of a single-family residence and a barbershop and the construction of a new mixed-use building containing 5,200 square-feet of retail space and 13 rental apartment units.

Dear Mr. Banks:

At its January 2, 2007 meeting, the Common Council **conditionally approved** your application to rezone property located at 1516–1610 Gilson Street & 1507 Beld Street from C3 to PUD-GDP-SIP. The following conditions of approval shall be satisfied prior to final approval and recording of the planned unit development and the issuance of demolition or building permits:

**Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following twenty-three (23) items:**

1. Any damage to Gilson Street or Beld Street pavement will require restoration in accordance with the City's patching criteria.
2. The developer shall improve the alley adjacent to the parcel with an asphaltic pavement, concrete gutters, and incidental storm sewer as required by the City Engineer.
3. The developer may be required to replace most or all of the sidewalk abutting the project as required by the City Engineer.
4. The City Forester must approve location and species of street trees.
5. City Engineering requires plans stamped by a Professional Engineer showing that the trench drain for the underground parking is designed to handle the 100-year storm event without flooding the parking area.
6. The City may elect to replace or upgrade portions of the existing public storm sewer within the project limits. The developer shall coordinate his/her work with any required City work.
7. 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.

8. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
9. 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.
10. 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.
11. The applicant shall replace all sidewalk and curb and gutter which abuts the property that is damaged by the construction or any sidewalk and curb and gutter and 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.
12. The applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.
13. A City licensed contractor shall perform all work in the public right-of-way.
14. 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.
15. 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.
16. 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.
17. The Applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko). 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, other miscellaneous impervious areas.
18. 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.

19. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
20. The site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right of way.
21. The developer shall provide information on how the Department of Commerce's requirements regarding treatment of storm water runoff, from parking structures, shall be satisfied prior to discharge to the public sewer system. Additionally, information shall be provided on which system (storm or sanitary) the pipe shall be connected to.
22. 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.
23. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size and alignment of the proposed service.

**Please contact Tim Sobota, Metro Transit, at 261-4289 if you have questions about the following two items:**

24. Metro Transit operates service five days a week along Gilson Street past this bus stop location ID #0110. The applicant shall install a concrete passenger boarding pad on the north side of Gilson Street, approximately ten feet east of curb ramp along the east side of the Beld Street intersection. The concrete pad shall occupy the full distance of the terrace, measure 6 feet in width parallel to the street, and lie flush between the sidewalk and the top of curb.
25. The applicant shall include the location of this passenger amenity on the final documents filed with their permit application so that Metro Transit may review and approve the design.

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

26. The applicant may need to modify the driveway approach so that headlights or vehicles leaving the underground parking will have little or no impact on the residential property across the public alley. The applicant shall note the houses, garages, windows, landscaping and direction of headlights coming up the ramp and turning into the alley impact on residential properties across the alley.
27. The developer shall post a \$1,500.00 deposit and reimburse the City for all costs associated with any modifications to alleyway. Signing to accommodate a one-way alley from Gilson Street to Beld Street permanent installations.
28. The applicant shall design to accommodate low-clearance vehicles for a transition for the ramp down to the parking area. The ramp breakover angle (limited by vehicle wheel-base and ground clearance) and angles of approach (affected by front overhang of vehicles) and departure (affected by rear overhang) are critical vehicle clearance points. Standards established by the Society of Automotive Engineers limit the ramp breakover angle to no less than 10 degrees; angle of departure, no less than 10 degrees; and angle of approach, no less than 15 degrees. The applicant shall provide a profile of the ramp showing the slopes critical

clearance, when plans are submitted for approval. The applicant should explore ramp slopes (grades) less than 10 % that can be blended satisfactorily with an 8-foot transition length. In addition, the applicant shall demonstrate on the plan that vehicles turning ingressing and egressing the ramp can be accommodated in the tight area without encroaching onto adjacent properties.

29. The bicycle provisions for the site shall be further reviewed and approved by the City's Pedestrian Bicycle Coordinator (Arthur Ross, TE). See attached Exhibits 1 and 2.
30. When the applicant submits final plans for approval, the plans shall show the following: items in the terrace as existing (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 (2) feet overhang, on a scaled drawing at 1" = 20'.
31. A "Stop" sign shall be installed at a height of seven feet at the driveway approach to the public alley. 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.
32. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
33. 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.
34. 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 Si Widstrand, Parks Division, at 266-4711 if you have questions about the following item:**

35. Park dedication required for this project is 9,100 square feet based on 700 square feet per unit for the 13 residential units. The required dedication shall be paid as a fee in lieu of land, based on the actual value of the acreage up to a maximum of \$1.82 per square foot. The dedication fee for this project is \$16,562.00. Park Development Fees are \$7,032.09 (\$540.93 per unit). → Total park fees for this project = **\$23,594.09**. [This amount is updated to the 2007 park fees, which are slightly higher than the 2006 fees. The fees assessed are based on the date of the Common Council approval.] **Park fees shall be paid prior to issuance of a building permit.**

**Please contact Scott Strassburg, Madison Fire Department, at 261-9643 if you have questions about the following two items:**

36. All portions of the exterior walls of newly constructed one- and two-family dwellings shall be within 500 feet of at least one fire hydrant. Distances are measured along the path traveled by the fire truck as the hose lays off the truck. See MGO 34.20 for additional information.
37. Provide fire apparatus access as required by Comm. 62.0509 and MGO 34.19 as follows:
  - a.) Provide a fire lane that extends to within 150 feet of all exterior portions of the structure, or it can be extended to within 250 feet if the building is fully sprinklered.
  - b.) The site plans shall clearly identify the location of all fire lanes.
  - c.) Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.

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

38. Meet all applicable State accessible requirements, including but not limited to:
  - a.) Provide a minimum of two accessible stalls striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8 feet wide with an 8-foot wide striped out area adjacent.
  - b.) Show signage at the head of the stalls. Accessible signs shall be a minimum of 60 inches between the bottom of the sign and the ground.
39. Meet applicable State building and State setback ordinances.
40. Provide one 10' x 35' loading area for the commercial tenant space with 14-foot vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space. Provide one 10' x 35' loading area for the residential portion of the lot that meets the minimum 14-foot vertical clearance to be shown on the plan. This stall can be provided in a drive aisle.
41. Provide 21 bike-parking stalls (19 for the residential use and 2 for the commercial uses) in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.
42. In the zoning text, revise the following: Under permitted use section, state the number of apartment units in the building and either list specifically the commercial uses or uses per the C1. Where the text says "see submitted plans", change that to read "as shown on approved plans". In the signage section, change it to read...as compared to the C1 district, approved by Urban Design and Zoning. The family definition shall state "...of the Madison General Ordinances per the R4 district." Submit revised zoning text to zoning and planning staff prior to final sign off.
43. Show addresses on the building and commercial tenant spaces on the final plans.

**Please contact my office at 261-9632 if you have questions about the following three items:**

44. That the applicant submit a screening and buffering plan for this project for approval by Planning Unit staff that mitigates traffic noise and impacts from vehicle headlights accessing the ramp to the underground parking level from the adjoining residential properties north of the alley. If the screening and buffering provided is to be located within the alley right of way, that a privilege in streets approval or encroachment agreement be approved by the City prior to final approval. If the screening and buffering provided is to be located on private property, that an easement be obtained from the affected property owner(s).
45. That the applicant work with the Traffic Engineering Division to provide 24 feet of backup space for garages on the north side of the alley and to restrict parking in the alley.

46. That the zoning text be revised per Planning Unit approval as follows:

- a.) that the list of uses be revised to include the following:
  - residential uses as permitted in the R6 zoning district and any accessory uses related thereto (includes the meeting room, and tenant workout/ health club spaces proposed on the second floor);
  - health clubs, offices, restaurants, drugstores, valet shops, retail food shops, beauty shops, barber shops, art galleries, photography shops, book shops, gift shops, tailor shops, shoe repair shops, primarily for walk-in trade, located in a building where the principal use is residential, provided that each business establishment shall not exceed three thousand (3,000) square feet of floor area;
- b.) the family definition shall coincide with the R4 family definition;
- c.) the floor area ratio shall be “as shown on the approved plans”;
- d.) signage shall be limited to the maximum permitted in the C1 zoning district and as approved by the Urban Design Commission. The signage should include directional signage for the underground parking facility.

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 **ten (10) 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 copy of the Reuse and Recycling Plan shall also be submitted to Zoning for forwarding to the City’s Recycling Coordinator for approval.

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.

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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: Kathy Voeck, Asst. Zoning Administrator  
Janet Dailey, City Engineering  
Si Widstrand, Parks Division  
John Leach, Traffic Engineering  
Scott Strassburg, Madison Fire Department

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Unit (T. Parks)	<input type="checkbox"/>	Madison Water Utility
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<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"/>	Metro Transit
<input type="checkbox"/>	CDBG Office	<input type="checkbox"/>	Other: