



Report to the Plan Commission

June 10, 2009

Legistar I.D. #14735
2 S. Bedford Street
PUD Rezoning & Demolition Permit

Report Prepared By:
Timothy M. Parks, Planner
Planning Division Staff

Requested Action: Approval of a request to rezone 2 S. Bedford Street from M1 (Limited Manufacturing District) to Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow demolition of a one-story bus terminal and construction of a mixed-use building with approximately 12,000 square feet of retail space and 82 apartments.

Applicable Regulations & Standards: Section 28.07 (6) of the Zoning Ordinance provides the requirements and framework for Planned Unit Developments; Section 28.12 (9) provides the process for zoning map amendments; Section 28.12 (12) provides the guidelines and regulations for the approval of demolition permits.

Summary Recommendation: The Planning Division recommends that the Plan Commission recommend **approval** of Zoning Map Amendment ID 3432 & 3433, rezoning 2 S. Bedford Street to PUD-GDP-SIP, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 8 of this report.

Background Information

Applicant & Property Owner: Jim Meier, 2 South Bedford, LLC; 5501 Femrite Drive; Madison.

Agent: J. Randy Bruce, Knothe & Bruce Architects, LLC; 7601 University Avenue, Suite 201; Middleton.

Proposal: The applicant proposes to demolish the existing Badger Bus/ Greyhound Terminal and construct a three-building mixed-use development containing approximately 12,000 square feet of retail space and 82 apartments. Construction is scheduled to commence later this summer, with completion about one year later.

Parcel Location: A 1-acre parcel located on the west of S. Bedford Street between W. Main Street and W. Washington Avenue; Aldermanic District 4; Madison Metropolitan School District.

Existing Conditions: The subject site is developed with a one-story bus terminal and related surface parking, zoned M1 (Limited Manufacturing District).

Surrounding Land Use and Zoning:

North: U-Haul, zoned C3 (Highway Commercial District);

South: Fourth Ward Lofts (and Doris House), zoned PUD-SIP;

West: West Washington Self-Storage and Delta Warehouses, zoned M1 (Limited Manufacturing District);

East: Heartland Credit Union and Echo Tap, zoned C2 (General Commercial District).

Adopted Land Use Plan: The Bassett Neighborhood Master Plan specifically recommends the relocation of the intercity bus terminal to a location near the Kohl Center and a long-planned commuter rail station envisioned to be located near the arena. The existing bus terminal is identified as a potential site for mixed-use redevelopment. The neighborhood plan also includes the subject site in the Tobacco Warehouse District, which is generally recommended for comprehensive residential redevelopment with a recommended density of 40-60 units an acre. The neighborhood plan further recommends development of mixed-use residential, office, retail and entertainment uses compatible with adjoining residential uses along W. Main and S. Bedford streets.

The Comprehensive Plan includes the subject site in the City Station Mixed-Use Sub-District, which generally calls for the development of mixed-use retail, service, entertainment and office buildings with medium-density multi-unit residential components up to 40 units an acre (unless where specified in a neighborhood plan) in two- to five-story structures within the sub-district. Stand-alone office, commercial and industrial uses are also identified in this sub-district.

Environmental Corridor Status: The property is not located within a mapped environmental corridor.

Public Utilities and Services: The property is served by a full range of urban services.

Zoning Summary: The site is currently zoned M1 (Limited Manufacturing District) and will be rezoned PUD-GDP-SIP with this request, which will be reviewed in the following sections.

Project Review

The applicant and property owner is requesting approval of a request to rezone a one-acre parcel that extends along the westerly blockface of S. Bedford Street between W. Washington Avenue and W. Main Street from M1 (Limited Manufacturing District) to PUD-GDP-SIP to allow construction of a mixed-use development containing approximately 12,000 square feet of retail space and 82 apartments. The project will replace the existing one-story Badger Bus/ Greyhound Terminal and related surface parking that currently occupies the property.

Background

The existing bus terminal is located on the northern portion of the property, with a setback of 20 feet from W. Washington Avenue and 17 feet from S. Bedford Street. The remainder of the property is occupied with approximately 35 parking stalls located between the building and W. Main Street. Eight bus parking stalls are located on the west side of the bus terminal. Access to the site is provided by a through-block drive extending between W. Washington Avenue and W. Main Street and a parking lot access from S. Bedford Street. The existing terminal building is a four-sided brick building with a prominent wood parapet that reflects a 1970's era architectural aesthetic. The site is generally flat and is characterized by minimal parking lot plantings.

The subject site is surrounded by a variety of land uses. The properties to the west of the bus terminal include three- and four-story warehouse buildings on both W. Washington Avenue and W. Main Street. A surface parking lot located at the rear of the three-story Delta Warehouse building at 612 W. Main Street sits between the two warehouses west of the bus terminal, with access to the lot provided by the through-block drive located on the subject site. Access over the drive is provided by an existing private roadway easement, which will not be altered by the proposed redevelopment.

The property is across W. Main Street from the local landmark Doris House, which was constructed in 1857-1858. The two-story Greek revival residential building, which was rehabilitated as part of the development of the adjacent four-story Fourth Ward Loft Condominiums, was designated a landmark on February 26, 2008. The landmark designation noted that the house is a significant remnant of the mid-19th Century development in the Bassett Neighborhood, and because it is one of the few relatively intact examples of a Greek Revival style house built of indigenous red brick.

The bus terminal is located across S. Bedford Street from two relatively low-rise two-story buildings, the Echo Tap at the corner of W. Main Street, and a Heartland Credit Union branch with drive-up windows at W. Washington Avenue. The area between these two buildings is occupied with surface parking. The properties north of the site include a U-Haul rental and storage facility located at the northwesterly corner of S. Bedford and W. Washington, which includes the former Illinois Central Railroad Freight Depot constructed in 1888. The property west of the U-Haul property is developed with a Mobil gas station and convenience store with second story office space, while the property across Bedford Street and kitty-corner from the subject site is developed with the 3.5-story Teckemeyer Candy Co. building, which currently houses 28 apartment units developed by Madison Development Corporation.

The Bassett Neighborhood Master Plan includes a specific recommendation that the intercity bus terminal be relocated to a location near the Kohl Center and potential commuter rail station to be located near the arena and suggests that the existing terminal site may be appropriate for mixed-use redevelopment. The subject site is also included in the plan's Tobacco Warehouse District, which is bounded by W. Washington Avenue, S. Bedford Street, Proudfit Street and North Shore Drive. The 1997 plan recommends this district for comprehensive residential redevelopment with a density of 40-60 units an acre. The neighborhood plan identified the Tobacco Warehouse District as a residential growth area, owing to the limited presence of residential uses west of S. Bedford Street at the time the plan was developed.

The neighborhood plan also recommends pedestrian-oriented mixed-use development with residential, office, retail and entertainment uses compatible with adjoining residential uses along W. Main and S. Bedford streets. The W. Washington Avenue frontage of the site is also identified in a mixed-use/entertainment zone located between Regent and Bedford streets. The plan envisions the inclusion of ground floor retail and entertainment uses with upper floor residential and offices uses in an effort to create an activity center for neighborhood residents, downtown employees and Kohl Center visitors. Commercial development within the W. Washington Avenue mixed-use zone should be scaled to provide an appropriate transition to the residential uses east of Bedford Street. The neighborhood plan does not contain specific height limitations for this area.

The Bassett Neighborhood Master Plan generally emphasizes that new construction include high-quality architecture that is compatible with the character of surrounding buildings. New buildings and parking should maintain the continuity of the blockface, with setbacks to enhance the pedestrian scale and entrances oriented to the public street.

The mixed-use development recommendations for the W. Washington and S. Bedford frontages were generally incorporated into the Comprehensive Plan, which includes the subject site and nearby properties north of W. Main Street in the City Station Mixed-Use Sub-District. That sub-district generally calls for the development of mixed-use retail, service, entertainment and office buildings with medium-density multi-unit residential components up to 40 units an acre (unless where specified in a neighborhood plan) in two- to five-story structures. Stand-alone office, commercial and industrial uses are also identified in this sub-district.

Project Review

The existing bus terminal building will be replaced by three interconnected structures that will result in a significant increase of building mass on the subject site. The three buildings will be located atop a 96-stall underground parking garage that will occupy most of the subject site.

The redevelopment proposal calls for a five-story structure to be constructed on the northern half of the site adjacent to the corner of W. Washington Avenue and S. Bedford Street. The five-story structure will include approximately 12,000 square feet of commercial space comprising most of the first floor, with 48 apartment units to occupy the four floors above. The first floor commercial space will include entrances from the W. Washington Avenue and S. Bedford Street sidewalks. A small drive-thru queue is shown at the southwestern corner of the building. A residential lobby will be located in the southeastern corner of the five-story building with a pedestrian entrance from the S. Bedford Street sidewalk. The 48 residential units will include 13 studio units, 19 one-bedroom units and 16 two-bedroom units.

Moving south along the S. Bedford Street blockface, the redevelopment calls for a four-story, 28-unit residential building that will include 19 one-bedroom units, 6 two-bedroom flats and 3 two-bedroom townhouse units. The 3 two-story townhouse units will include covered entrance stoops from the S. Bedford Street sidewalk; a fourth stoop leading to one of the two-bedroom flats is also shown. The third building proposed will be a three-story townhouse-style building that will extend along the W. Main Street frontage of the site, which will include 4 two-bedroom townhouse units on the first two floors and 2 two-bedroom flats on the third floor. The 4 townhouse units will include individual entrances from the W. Main Street sidewalk. The 2 third floor units will be accessible through the 28-unit building, which will share a common wall with the third building.

The interior of the site will be developed with a 26-stall surface parking lot and the access ramp to the underground parking facility, which will be located at the southwestern corner of the 28-unit residential building. A loading zone is proposed in the same area as the drive-thru at the southwestern corner of the five-story mixed-use building. Driveways are proposed along the western property line from W. Main Street and W. Washington Avenue in approximately the same location as the existing driveways serving the site. A third driveway is proposed from S. Bedford Street. An access for the parking lot located on the adjacent Delta Warehouse property will also be provided.

The three buildings proposed are architecturally similar to one another, although each includes distinct details intended to avoid the development from having a uniform, monolithic appearance. The five-story mixed-use building is designed to evoke a late 19th Century commercial/ industrial building, particularly along the W. Washington Avenue facade. The building includes a distinct base, middle and top, with each section divided by contrasting horizontal bands. The northeastern corner of the building is set back at the first floor to preserve adequate pedestrian and vehicular sight-distance at the Washington-Bedford intersection. The first floor facade facing S. Bedford Street will include a glass and steel arcade, which will project approximately 8 feet from the remainder of that facade.

The 28-unit, four-story building will have a more residential appearance than the five-story building to its north, due in particular to the inclusion of residential stoops along the first floor. However, the four-story building will incorporate some architectural elements that will further the late 19th Century commercial building aesthetic begun with the five-story building, including a prominent, consistent parapet across the top of the western and eastern walls and distinct arched window and balcony openings along the fourth floor. The 28-unit building will be connected to the five-story mixed-use building by a three-story tall glass and steel structure that will span the driveway from S. Bedford Street. The connector will be set back approximately 33 feet from the Bedford property line in an effort to make the connection as transparent as possible. An office is shown on the parking lot side of the second floor of the connector,

while commons rooms are shown on the third and fourth floors of the connector. A rooftop garden is located atop the connector structure adjacent to the fifth floor of the mixed-use building. Lastly, the scale and architecture of the three-story townhouse-style building facing W. Main Street will provide a transition to the Fourth Ward Lofts and Doris House located to the south.

It appears that each of the 82 residential units will have some form of outdoor space in either the form of a porch/ balcony or entry stoop, all of which will be at least 5 feet deep.

The Urban Design Commission reviewed the proposed planned unit development on April 22, 2009 and recommended initial approval (see attached report). The applicant will be required to receive final approval of the development prior to final approval and recording of the project.

Analysis

The three-building mixed-use development proposed for the current Badger Bus/ Greyhound Terminal site represents a significant new direction for a physically underutilized parcel with a high degree of visibility along W. Washington Avenue. While the bus terminal serves an important public benefit as a hub for intercity bus service, the existing structure is architecturally underwhelming and the overall appearance of the site is more befitting of a suburban context rather than a location at a key intersection along a gateway corridor in the downtown area. The underutilization of the site is particularly noteworthy in regard to the presence of surface parking, which occupies more than half of the one-acre site. Although limited information has been submitted to substantiate the request to demolish the one-story structure, Planning staff believes that the proposed mixed-use redevelopment project represents a significantly greater utilization of the property beyond what currently exists and feels that the demolition permit standards can be met.

The Planning Division feels that the proposed mixed-use redevelopment proposal will largely conform to the numerous recommendations for this site contained in the Bassett Neighborhood Master Plan. The introduction of approximately 12,000 square feet of ground floor commercial space at the Washington-Bedford corner with 82 units located across the one-acre parcel appears to be consistent with the recommendations in the neighborhood plan, which call for pedestrian-oriented mixed-use development with residential, office, retail and entertainment uses along W. Main Street, S. Bedford Street and W. Washington Avenue.

Staff also feels that the three-building proposal complies with the recommendations in the plan that commercial development within the W. Washington Avenue mixed-use zone be scaled to provide an appropriate transition to the residential uses east of Bedford Street and that development along S. Bedford Street be compatible with the primarily residential uses located to the east. While the five-story building proposed at the corner of W. Washington Avenue and S. Bedford Street will be the largest structure to be developed in that immediate area, staff does not believe that the building will overwhelm other buildings located nearby. The five-story building will stand approximately 62 feet in height as measured at the northeasterly corner of the building adjacent to the intersection. The architecture of the proposed building, which is intended to evoke the stature and aesthetics of a late 19th Century commercial/ industrial building, should relate well to both the architecture and scale of the three-story, 38-foot tall two-toned brick West Washington Self Storage warehouse built in 1921, which is located immediately to the west of the site, as well as the former Teckemeyer Candy Co. building located across the intersection to the northeast. The red brick Teckemeyer building stands approximately three-and-a-half stories in height and includes a simple yet elegant exterior motif that the applicant's five-story building should compliment. The introduction of the five-story mixed-use building at the southwesterly corner of the Washington-Bedford intersection in combination with the Teckemeyer building and the

adjacent commercial and mixed-use buildings that extend along the north side of W. Washington east of Bedford should begin to create a well-framed, high-density urban intersection.

Like the corner of the subject site at W. Washington Avenue, the proposed planned unit development should result in a substantial improvement to the built form along W. Main Street, where a surface parking lot will be replaced by two well designed buildings that appear to compliment existing buildings located nearby. Staff feels that the four-story building will relate well to both the scale and architecture of the adjacent Delta Warehouses while providing an attractive street wall along S. Bedford Street. Similarly, the three-story townhouse building along W. Main Street should compliment the architecture of the Fourth Ward Lofts and the scale of the landmark Doris House located to the south.

One area where the proposed planned unit development will deviate from the recommendations in the Bassett Neighborhood Master Plan is the proposed density of the project. The development proposes a net density of 82 units an acre, which is more than 25% greater than the 40-60-unit per acre density recommended in the neighborhood plan. However, since the adoption of the plan in 1997, a number of projects have been constructed where the approved density exceeded the density recommendation in the Bassett Plan, including two projects nearby. The Fourth Ward Lofts project was approved with a net density of approximately 67 units an acre (74 units on 1.1 acres), while the Bel Mora Apartments at 544 W. Main Street were approved with a density of 112 units an acre (28 units on 0.25 acres). In each case where a new development has exceeded the density recommendations of the Bassett Neighborhood Master Plan, the neighborhood, staff, Plan Commission and Common Council determined that the scale and design of the new developments were generally compatible with the scale and building mass envisioned under the plan. The higher densities of those projects were also generally felt believed to implement the plan's goals to provide a variety of housing opportunities in the neighborhood. In the case of this proposed 82-unit development, staff believes that the higher than recommended density can be found to be acceptable given both the high quality design proposed and the mix of unit types that will be included in the development, which will include 13 studio units, 38 one-bedroom units and 31 two-bedroom units, including 3 with dens that may lend themselves to being three-bedroom units.

As noted earlier in this report, the neighborhood plan includes a specific recommendation that the intercity bus terminal be relocated to a location near the Kohl Center and a potential intercity rail station to be located near the arena and states that the existing terminal site may be appropriate for mixed-use redevelopment. At the present time, there are no specific plans for the development of an intercity transportation facility near the Kohl Center, though the potential to develop a multi-modal transportation center in the area has been discussed as part of the preparation of the forthcoming Downtown Plan. The applicant has stated that his company's operations no longer require a fixed station and instead that intercity bus service is trending towards more flexible routing that relies on multiple stops within a community. The stops involve typically fewer amenities, with passenger ticketing handled by the driver of the coach or online as opposed to at a fixed ticket counter.

Staff is aware of the concerns that have been raised by members of the community about the proposed loss or displacement of the intercity bus service currently operated from the subject site. However, staff will note that the applicant and property owner of the subject demolition permit and planned unit development is the owner/ operator of the primary bus service serving the site, Badger Bus. Further, while the applicant/ property owner provides a quasi-public for-profit service, staff does not believe that the demolition permit or planned unit development standards can prevent him for redeveloping his property. Staff believes that the demolition standards are intended to assess the existing condition of a building proposed for demolition and to consider the affects of the proposed alternative use on the normal and orderly development of surrounding properties given consideration of the Comprehensive Plan, any adopted neighborhood plans and the intent and purpose of the Zoning Ordinance. Similarly, in reviewing the project against the planned unit development standards in specific regard to the bus

terminal relocation question, staff believes that the criteria for approval are intended to address the impacts of the proposed development, the mixed-use residential-retail project in this case, and its conformance with the standards for planned unit developments and zoning map amendments and not the land use that previously existed.

[It should be noted that the City retains the authority to approve routes for intercity passenger bus companies and the locations of stops in the community.]

Finally, while staff feels that the proposed mixed-use redevelopment of the bus terminal site will result in a high-quality urban infill development, staff encourages the applicant to revisit the design of some of the balconies proposed to provide open space along the S. Bedford Street and W. Washington Avenue facades of the five-story mixed-use building. As currently designed, staff believes that the balconies proposed along the northerly and easterly walls are not well integrated with the architecture of that building, which staff otherwise feels is an excellent modern interpretation of a classic commercial building form. While staff is not suggesting the removal of open space for residential units in an urban infill development, staff feels that in certain cases the architectural integrity of a building is of greater importance than the uniform provision of usable open space for every dwelling unit. To that end, staff requests that the applicant work with staff and the Urban Design Commission to redesign the balconies along the street-facing elevations of the five-story building. Staff feels that it is essential for the balcony openings to have an overall organic, well-integrated appearance with the rest of the facades, and that they be constructed using high-quality building materials to match the rest of the building. In order to achieve this goal, staff recommends that the front of the balcony openings be pulled back to align with the rest of the building walls, that the horizontal banding of the walls be preserved along the front of the balconies and the railing details revisited, and that more detail on the fascia of the balconies be provided.

Conclusion

The applicant and property owner is requesting approval of a planned unit development and demolition permit to allow the existing one-story Badger Bus/ Greyhound Terminal to be redeveloped as a three-building mixed-use project with approximately 12,000 square feet of ground floor commercial space and 82 dwelling units. The Planning Division believes that the proposed development can meet the standards for approval for demolition permits, zoning map amendments and planned unit developments and that the project largely conforms to the recommendations contained for this site in the Bassett Neighborhood Master Plan. While the proposed density of the project exceeds the 1997 density recommendations contained in the neighborhood plan, staff feels that the high-quality design of the project and its ability to readily conform to both the existing and envisioned development pattern within the neighborhood as potential grounds for approving the proposed higher density. The proposed development should result in a significantly greater utilization of what staff feels is currently an underused parcel located along a gateway corridor leading to the State Capitol.

While the existing use of the site provides a quasi-public benefit to the community, the City cannot mandate that this use be maintained at this location but maintains the authority to approve new routes and bus stops. Staff further does not believe that demolition permit, zoning map amendment or planned unit development approval standards can require the preservation of the bus terminal at the subject location, but instead that those standards are primarily intended to ensure that the proposed development can meet the standards for approval.

Recommendations and Proposed Conditions of Approval

Major/Non-Standard Conditions are shaded

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

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 3432-3433, rezoning 2 S. Bedford Street from M1 (Limited Manufacturing District) to PUD-GDP-SIP (Planned Unit Development, General Development Plan/Specific Implementation Plan), with a recommendation of **approval** subject to input at the public hearing, the following Planning Division conditions and the conditions from reviewing agencies:

1. That the applicant work with the Planning Division and Zoning Administrator prior to final approval and recording of the planned unit development to develop an enumerated list of permitted commercial and office uses for the zoning text. [Staff believes that it would be best going forward to approve PUD zoning texts with such use lists so as to avoid references to the Zoning Code, which is currently being rewritten and will likely have different, more contemporary use lists.]
2. That the applicant receives final approval of the planned unit development from the Urban Design Commission prior to recording. In considering granting the project final approval, Planning staff encourages the Urban Design Commission to consider the redesign of the balconies proposed along the S. Bedford Street and W. Washington Avenue facades of the five-story mixed-use building, which staff does not feel are well integrated with the architecture of that building in their current form. Staff encourages the balconies to be well integrated with the rest of those facades and that they be constructed using high-quality building materials to match the rest of the building. The front of the balcony openings should be pulled back to align with the rest of the building walls, the horizontal banding of the walls preserved along the front of the balconies and the railing details revisited, and that more detail on the fascia of the balconies be provided.

The following conditions have been submitted by reviewing agencies:

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

3. In accordance with 10.34 MGO – Street Numbers: Submit a PDF of each floor plan to Lori Zenchenko in the Engineering Mapping Section (Lzenchenko@cityofmadison.com) 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.
4. Informational: The planned unit development will trigger the need for submittal of a final CAD file of the site to the Engineering Division for updates to the City of Madison Stormwater Utility records for this site.
5. Any damage to pavement on W. Main Street or S. Bedford Street will require restoration in accordance with the City's Patching Criteria. This includes but is not limited to damage resulting from the installation or removal of utilities, driveways, etc.
6. The applicant shall route the storm connection proposed for the intersection of Main and Bedford to the inlet on Main where the other storm on site is being connected. This shall eliminate cutting a new street for a new storm connection.

7. Clarify storm design on sheet C-2.1; it is not clear where the proposed inlets drain.
 8. City records show 3 private storm connections. These connections shall be abandoned by permit using same process as proposed sewer lateral abandonment.
 9. Existing sanitary sewer in S. Bedford Street is 10" PVC and not a 15" main. Review site plan to determine if possible to connect to 15" VP on W. Washington Avenue (terrace main) to avoid street opening brand new. This will be less problematic for crossing the storm sewer.
10. 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.
 11. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
 12. 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.
 13. 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.
 14. The applicant shall replace all sidewalk and curb and gutter that 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.
 15. A City licensed contractor shall perform all work in the public right-of-way.
 16. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree-planting plan (in PDF format) to Dean Kahl, of the City Parks Division - dkahl@cityofmadison.com or 266-4816.
 17. 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.

18. 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.
19. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to: control 40% TSS (20 micron particle) off of new paved surfaces, 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 the Madison General Ordinances.
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. All other levels (contours, elevations, etc) are not to be included with this file submittal. Email 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.
21. 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).
22. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management File including: SLAMM DAT files; RECARGA files; TR-55/HYDROCAD/etc., and; sediment loading calculations. If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided.
23. 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.
24. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
25. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
26. Prior to 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.

27. 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 Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering Division signoff.
28. 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.

Traffic Engineering Division (Contact John Leach, 267-8755)

29. A condition of approval shall be that no residential parking permits shall be issued for 2 S. Bedford Street, as 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 for 2 S. Bedford Street a copy of the lease noting the above condition in the lease when submitting plans for City approval.
30. The applicant shall provide one contiguous plan for 2 S. Bedford Street and 612 W. Main Street properties for the facility showing the following: All the facility's, existing and proposed buildings, existing and proposed layouts of parking lots, loading areas, trees, signs, the sidewalk along the northerly property line, easements and approaches.
31. When site plans are submitted for approval, the developer shall provide a recorded copy of the reciprocal land agreement for passage over, upon, across and through the facilities and ingress and egress for each building, loading and parking site. This land agreement for vehicular and pedestrian access shall be a perpetual, non-exclusive, unimpeded or unobstructed land agreement for the lots in the commercial site.
32. 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 Engineer Division 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 sign off.
33. The applicant shall modify the truck loading area as follows: the sidewalk shall continue from W. Washington Avenue and connect to the sidewalk onto S. Bedford Street. The loading area shall have a driveway approach apron for the loading area separating the sidewalk from the loading area.
34. The applicant shall indicate the type of bicycle racks to be installed both inside and outside.
35. 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), adjacent driveway approaches to lots on either side, 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'.

36. 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. The "One Size Fits All" stall maybe 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 spaces and including the back up area, when designing underground parking areas. The applicant may need to remove parking for back area with columns and parking that is in a 23-foot drive aisle preventing the vehicle to turn.
39. The underground drive aisles for two-way operation shall be a minimum 18 feet in width according to MGO 10.08(6)(a)4. The applicant may need to remove parking for two-way traffic with columns and parking reducing drive aisles below 18 feet.
40. 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.
41. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Zoning Administrator (Contact Pat Anderson, 266-5978)

42. Meet applicable building codes, including accessible requirements.
43. Provide 82 bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. 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. Show the stalls on the plans.
44. Provide a reuse/recycling plan, to be reviewed and approved by the City Recycling Coordinator prior to a demolition permit being issued. Sec 28.12(12)(e) 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.
45. Show addresses of tenant spaces on the building of the final site plan.
46. Meet all applicable State accessible requirements, including but not limited to:

- a.) Provide a minimum of 4 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 to and on the passenger side.
- b.) Provide a minimum of 2 accessible stall 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 to and on the passenger side for the surface parking.
- c.) Show signage at the head of the stalls.
- d.) The stalls shall be as near the elevator as possible.

47. The Zoning Section of the Department of Planning and Community and Economic Development must issue sign permits prior to sign installations.

48. Lighting is required. Provide a plan showing at least .5 foot candle on any surface on any lot and an average of .75 footcandles. The maximum light trespass shall be 0.5 fc at 10 feet from the adjacent lot line. (See City of Madison lighting ordinance).

49. Parking lot plans with greater than twenty (20) stalls; landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.) Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch or other non-vegetative cover. All plant materials in islands shall be protected from vehicles by concrete curbs.

Parks Division (Contact Tom Maglio, 266-6518)

50. The developer shall pay approximately \$163,430.10 for park dedication and development fees for 82 new multi-family units. (Fees in lieu of dedication=(82 @ \$1,407)=\$115,374.00; Park development fees=(82 @ \$586.05)=\$ 48,056.10). The developer must select a method for payment of park fees before signoff on the rezoning.

Fire Department (Contact Scott Strassburg, 261-9843)

51. Provide fire apparatus access as required by Comm. 62.0509 and MGO 34.19, as follows:
- a.) Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal
 - b.) Where there is a change in the direction of a fire lane, the minimum inside turning radius shall be at least 28-feet.

Water Utility (Contact Dennis Cawley, 261-9243)

This agency submitted a response with no conditions of approval for this project.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit a response for this project.