



Department of Planning & Community & Economic Development

Planning Division

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November 12, 2014

Anne Bowman
Heartland Housing, Inc.
208 S. LaSalle St., Suite 1300
Chicago, IL 60604

RE: Approval of the demolition of a single-family home and a conditional use for construction of a four-story mixed-use building at 707-709 Rethke Avenue in the CC-T (Commercial Corridor-Transitional) District.

Dear Ms. Bowman:

At its November 10, 2014 meeting, the Plan Commission found the standards met and **approved** your request for a demolition and conditional use at 707-709 Rethke Avenue, subject to the conditions below. In order to receive final approval of the demolition and conditional use, and for any necessary permits to be issued for your project, the following conditions shall be met:

Please contact my office at 266-5974 if you have questions regarding the following 7 items:

1. The applicant is strongly encouraged to secure a formal shared parking agreement with a nearby property owner for a portion of the necessary parking for employees, so that on-site parking is available for residents and visitors. Any documentation of such an arrangement shall be provided to staff along with final plans submitted for review and approval. Should automobile parking on and around this site become problematic in the future, the property owner may be required to secure additional off-site shared parking.
2. As a condition of approval, the applicant shall commit to the provision of shuttle services to grocery stores and other major retailers for residents, as indicated in the *"Transportation Plan for 707-709 Rethke Avenue"*, submitted in October 2014.
3. Final plans submitted for staff review shall include additional information on the proposed landscaping as follows:
 - a) A date of completion and detailed table with species and planting sizes for Phase Two of the Landscape Plan
 - b) A maintenance plan for the proposed rain garden and vegetable garden areas, to ensure that these areas will be well-maintained by residents and the property manager
4. Final plans submitted for staff review shall include elevations with a detailed schedule of materials to include specifications and colors.

5. At this time, the number of chickens allowable on the site is eight (8), and the number of beehives allowable on the site is three (3). The property owner may request expansion in the future as an alteration to the conditional use.
6. Final plans shall include a convenient path for bicyclists to access the bicycle-parking area, including notes to ensure that elevator will be designed to accommodate bicycles and/or a narrow ramp leading down the stairway to the basement.
7. Any future application of solar panels on the rooftop or cisterns for on-site rainwater collection may be handled as a minor alteration to this conditional use

Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following 27 items:

8. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. 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.
9. Add "Property Line" to the Project Limits designation under the legend on the plans. Also provide the dimensions on the property lines of the site.
10. The address of the proposed building is 715 Rethke Avenue.
11. Revise grading plan such that no runoff flows across the south or east property lines.
12. The proposed development plans to re-use an existing sanitary lateral. Said lateral is 63 years old. City Engineer recommends installing a new lateral to serve the building.
13. The Applicant shall install curb and gutter, 4ft of pavement, as necessary, and sidewalk adjacent to the property. This will require a developer's agreement.
14. The driveway configuration shall be modified to show a class III drive, or a driveway configuration as permitted through the City Traffic Engineering Division. Remove the ramps and pavement marking across the drive. The Applicant shall install 7" thick main line concrete sidewalk through the drive.
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 Engineer signing off on this project (MGO 16.23(9)c).
16. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
17. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
18. Submit a PDF of all floor plans to izenchenko@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.

19. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
20. The approval of this Conditional Use or PUD 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 (MGO 16.23(9)(d)(6).
21. 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 (POLICY).
22. All work in the public right-of-way shall be performed by a City licensed contractor (MGO 16.23(9)(c)5) and MGO 23.01).
23. All damage to the pavement on Rethke Avenue adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY).
24. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in the ROCK RIVER TMDL ZONE and by Resolution 14-00043 passed by the City of Madison Common Council on 1/21/2014. You will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR.
25. 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 (POLICY and MGO 10.29).
26. The applicant shall demonstrate compliance with MGO Section 37.07 and 37.08 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.
27. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, 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 WDNR is required (NOTIFICATION).
28. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to:
 - a) Detain the 2 & 10-year storm events.
 - b) Control 80% TSS (5 micron particle) off of new paved surfaces.
 - c) Provide infiltration in accordance with MGO Chapter 37.
 - d) Provide oil & grease control from the first 1/2" of runoff from parking areas.

- e) 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 MGO Chapter 37.

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

- 29. 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, and shall have a scale bar on the plan set (POLICY and MGO 37.09(2)).

PDF submittals shall contain the following information:

- a) Building footprints
- b) Internal walkway areas
- c) Internal site parking areas
- d) Lot lines and right-of-way lines
- e) Street names
- f) Stormwater Management Facilities
- g) Detail drawings associated with Stormwater Mgmt Facilities (including if applicable planting plans)

- 30. The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Mgmt Files including:

- a) SLAMM DAT files
- b) RECARGA files
- c) TR-55/HYDROCAD/Etc
- d) 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 (POLICY and MGO 37.09(2)).

- 31. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction (MGO 37.05(7)). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 32. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer 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: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm> (MGO CH 35.02(14)).
- 33. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Schmidt (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff (MGO 16.23(9)(d)(4)).
- 34. 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 (POLICY).

Please contact Eric Halvorson of Traffic Engineering at 266-6527 if you have any questions regarding the following 12 items:

35. Improvements within the Right of Way including the on-street parking spaces are not approvable through the site plan review process. The on-street parking spaces shown on the site plan shall be removed prior to final sign-off.
36. Modify site entrance to conform with City of Madison standards for a Commercial Driveway.
37. Applicant has provided 13 on-site parking spaces. This may result in parking problems in the surrounding area.
38. All sidewalks adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang and still maintain a 5 foot wide area for pedestrians.
39. All sidewalks shall have a 5 foot wide clear path that is not obstructed by items including but not limited to doors, planters and vehicle overhang.
40. Applicant shall provide a deposit in the amount of \$30,000 to provide pedestrian activated flashers at the intersection of Rethke Avenue and East Washington Avenue.
41. The pedestrian activated flashers as mentioned above are the highest possible treatment that is feasible at this intersection. Applicant shall understand that residents of the facility will need to cross East Washington Avenue to access transit services without the aid of a traffic signal at this location.
42. The site plan provides 13 off street parking spaces to serve sixty residential units, and no off-street parking for users of the non-residential space. This is far fewer than a 1:1 ratio of parking spaces to residential units. The letter of intent also notes that spaces on street are available for users of this development. The Parking Utility wishes to note that on-street spaces are public spaces and are not reserved for any private or individual's use, and there is a potential for residents and users of the facility to park their vehicles on adjacent streets. A condition of approval shall be that no residential parking permits shall be issued for 707-709 Rethke Ave. The applicant shall inform all tenants of this facility requirement in their apartment leases. In addition, the applicant shall submit for 707-709 Rethke Ave. a copy of the lease noting the above condition.
43. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
44. 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.
45. 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.

46. All parking facility design shall conform to MGO standards, as set in section 10.08(6). As a part of MGO 10.08 all Medium and Large Vehicles shall have a minimum backup of 24 feet.

Please contact Kay Rutledge of the Parks Division at 266-4714 if you have any questions regarding the following 3 items:

47. 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. The developer must select a method for payment of park fees before signoff on the conditional use. This development is within the Reindahl park impact fee district (SI22). Please reference ID# 14148 when contacting Parks about this project.
48. Additional street trees are needed for this project. All street tree planting locations and trees species with the right of way shall be reviewed by City Forestry. Please submit a site plan (in PDF format) to Dean Kahl – dkahl@cityofmadison.com or 266-4816. Approval and permitting of tree planting shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan. Tree planting specifications can be found in Section 209 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part2.pdf>.
49. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.

Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions about the following 3 items:

50. Provide fire apparatus access as required by IFC 503, 2012 edition, MGO 34.503, as follows:
- a) The site plans shall clearly identify the location of all fire lanes.
51. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.
52. Please consider allowing Madison Fire Department to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Lt. Scott Bavery, (608) 576-0600.

Please contact Pat Anderson of the Zoning Office at 266-5978 if you have any questions regarding the following 12 items:

53. The nonresidential space that qualifies this building as a mixed-use building shall not be used as an accessory use to the residential component of the project. This space shall be a separate use, leased and occupied by a separate tenant, to be established at the time of issuance of the Certificate of Occupancy for the space. The space shall comply with all applicable building codes as a separate occupancy space.
54. 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.
55. Sec. 28.12(12)(e) of the Madison 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.

56. Sec. 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
57. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances prior to sign installations.
58. Pursuant to Sec. 28.142(3) Landscape Plan and Design Standards: Landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect. The submitted plan includes a phasing plan. Details regarding the phasing must be established prior to the issuance of a building permit, with a final compliance date established by the Zoning Administrator.
59. Screening shall be provided along District boundaries lines subject to Section 28.142 (8). Provide a detail of the proposed screening on the East side of property, to screen the TR-V1 residential properties.
60. Bike parking: provide a detail of the bicycle rack and locker design.
61. Provide calculations on required window openings per sec. 28.060(2)(d) with final plans.
62. Accessory beekeeping activities shall comply with supplemental regulations for this use.
63. Provide a detail plan page with final plans showing the qualifying useable open space areas.
64. Provide a detail showing compliance with rear yard height transition to a residential district, per Sec. 28.067(3)(c).

Please contact Dennis Cawley of the Water Utility at 266-4651 if you have any questions about the following 2 items:

65. All water main and water service lateral work in the public right-of-way shall be performed in accordance with the City of Madison Standard Specifications for Public Works Construction.
66. The Madison Water Utility shall be notified to remove the water meter prior to demolition. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency. No demolition or building permits shall be issued until the applicant has met all of the conditions of approval stated in this letter.

Please now follow the procedures listed below for obtaining your building permits:

1. Please revise the plans per the above conditions and file **ten (10)** sets of complete, fully dimensioned, and to-scale plans, along with the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code. Also provide any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval.
3. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. This approval shall become null and void one year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within six months of the issuance of said building permit.

If you have any questions regarding obtaining the demolition and conditional use approval, please contact the Zoning Administrator at 266-4551. If you have any questions or if I may be of any further assistance, please do not hesitate to contact my office at 266-5974.

Sincerely,

Heather Stouder, AICP

Planner

I hereby acknowledge that I understand and will comply with the above conditions of approval for this demolition permit and conditional use.

Signature of Applicant

cc: Janet Schmidt, City Engineering Division
Jeff Quamme, City Engineering Division
Pat Anderson, Asst. Zoning Administrator
George Dreckmann, Recycling Coordinator
Bill Sullivan, Fire Department
Eric Halvorson, Traffic Engineering
Kay Rutledge, Parks Division

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (H. Stouder)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Metro Transit