



Department of Planning & Community & Economic Development

## Planning Division

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August 10, 2015

Bryant Moroder  
Sustainable Resource Group  
29 Farwell St.  
Madison, WI 53703

RE: Approval of the rezoning of property at 109 South Fair Oaks Avenue from TE to PD-GDP-SIP for 2615 Stevens Street from TR-C2 to TR-C4 for the rehabilitation and conversion of a Landmark building in to a multi-tenant light industrial building, construction of a storage facility, and construction of up to 48 "micro-lodges".

Dear Mr. Moroder:

At its August 4, 2015 meeting, the Common Council **approved** your client's request to rezone property at 109 South Fair Oaks Avenue from TE to PD-GDP-SIP. In order to receive final approval of the rezoning, 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 any questions regarding the following 4 items:**

1. Final plans submitted for review and approval by staff shall include a phasing plan demonstrating that clearly shows the rehabilitation of the Garver Feed Mill building in the first phase of the site build-out, and describes the intended phasing of the storage building, the micro-lodge subareas, urban agriculture components, and other site improvements.
2. Final plans submitted for review and approval by staff shall include a floor plan showing the usable spaces on the second floor of the Garver Feed Mill building (individual tenant spaces need not be delineated at this time), an accessible route to the second floor, and a rooftop plan.
3. Final plans submitted for review and approval by staff shall include a revised zoning text including a table of allowable and prohibited building materials for "micro-lodges", based on input from the Urban Design Commission.
4. Following the recording of this PD-GDP-SIP and the associated Certified Survey Map, a Phase 2 PD-SIP is anticipated to be submitted by the applicant. Materials submitted at that time shall include the following items:
  - a) A detailed landscape plan and plant list.
  - b) Further detail on the design parameters and overall programming for the micro-lodge area on Lot 2. The applicant shall coordinate with Planning Division staff, including the Historic Preservation Planner and the Secretary of the Urban Design Commission, prior to submitting this component for an informational presentation to the Urban Design Commission for the Phase 2 PD-SIP.
  - c) Detailed elevations and a floor plan for the storage building on Lot 3. The applicant shall coordinate with Parks Division and Planning Division staff, including the Historic Preservation

Planner and the Secretary of the Urban Design Commission, prior to submitting this component.

d) Lighting details and photometrics for the entire site.

e) Any revisions to the Garver Feed Mill building or other components of the Phase 1 SIP as required by reviewing commissions.

**Please contact Janet Schmidt, City Engineering at 261-9688 if you have any questions regarding the following 29 items:**

5. It is understood that a revised SIP approval is forthcoming. Engineering comments may change based on the new submittal.
6. The main 24' entry drive off of S Fair Oaks Ave shall be a named private drive, which is currently proposed as Garver Green. The address of the Garver Feed Mill building shall be 3241 Garver Green. The Garver Green private drive street name is a suggestion. Please submit names for approval to Lori Zenchenko ([Lzenchenko@cityofmadison.com](mailto:Lzenchenko@cityofmadison.com)). The interior suite numbers shall be determined when the interior configurations are known.
7. The varying width drive for the micro lodges will need to be named in order to assign address numbers to each micro lodge. Please provide naming suggestions (Sugar Beet Ln, Sugar Cane Ln, Molasses Trl, etc) to [Lzenchenko@cityofmadison.com](mailto:Lzenchenko@cityofmadison.com).
8. Revise the proposed storm outlet to go to the north to Starkweather Creek. The proposed outlet in the southwest corner does not drain properly.
9. Show the removal of the existing spur line for the property as necessary.
10. Applicant shall confirm whether proposed sanitary sewer lift station is necessary to provide sanitary sewer service to the redevelopment.
11. Sanitary service to this development will come off of Fair Oaks Avenue, as shown.
12. It is understood that each microlodge will have its own separate utility connections (including sanitary sewer, water, electric, gas, etc.). Modify the plans to show all utility connections.
13. The sanitary sewer and water main necessary to serve this development shall be considered private. A private easement / agreement shall be provided for review and approval and shall be recorded at the Dane County Register of Deeds.
14. The property has an open investigation site with the DNR (BRRS #03-13-252719) and also a closed site (#03-13-000437). Developer shall provide proof of coordination with the DNR to close the open site as part of the redevelopment. If contamination is encountered during construction, all WDNR & SSPS regulation must be followed.
15. The project requires the dissolving of underlying CSM platted lot lines and the creation of parcels to permit ground leases for the project. A CSM and required supporting information shall be prepared and submitted to the City of Madison Planning Department. The CSM shall be approved by the City and recorded with the Dane County Register of Deeds prior to issuance of a building permit.
16. A common access, parking and cross drainage agreement/document between the future lots will be necessary to provide access for all of the future lots within this development. This agreement shall be recorded prior to building permit issuance for new construction.
17. Provide copies of the approval and/or coordination with Union Pacific that will allow drainage of the stormwater to the rail corridor and for placement of the proposed bike/pedestrian signage on Union

Pacific's property. All work within the rail corridor will require the appropriate railroad insurance and flagging as required by the railroad.

18. A bike and pedestrian path easement through the site from the existing railroad crossing at Sugar Avenue north to a planned bike and pedestrian bridge over the Starkweather Creek in the vicinity of Dawes Street shall be required.
19. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat
20. 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.
21. 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.
22. All damage to the pavement on Fair Oaks 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).
23. 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.
24. 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).
25. 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.
26. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process.

Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm> (NOTIFICATION).

27. Prior to approval, this project shall comply with MGO Ch. 37 regarding stormwater management. Specifically, this development is required to:
  - a) Reduce TSS by 80% off of the proposed development when compared with the existing site.
  - b) 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.

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

28. The Applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Division (storm/sanitary section). The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number:

- a) Building Footprints
- b) Internal Walkway Areas
- c) Internal Site Parking Areas
- d) Other Misc Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
- e) Right-of-Way lines (public and private)
- f) Plat name and lot lines (metes & bounds parcel lines if unplatted)
- g) Platted lot numbers (noted "unplatted lands" if not platted)
- h) Lot/Plat property dimensions
- i) Street names
- j) Private on-site sanitary sewer utilities (including all connections to public sanitary)
- k) Private on-site storm sewer utilities (including all connections to public storm)

THE CAD FILE WILL ONLY BE REQUIRED PRIOR TO FINAL PLAN REVIEW SO THAT MULTIPLE FILES DO NOT NEED TO BE SUPPLIED OR REVIEWED.

NOTE: Email CAD file transmissions are preferred to: [jbendict@cityofmadison.com](mailto:jbendict@cityofmadison.com) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) . The party responsible for the CAD file email transmission shall include the project site address in the email subject line. Any changes or additions to the location of the building, private utilities, sidewalks, parking/pavement during construction will require a new CAD file transmittal

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 Management 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. 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)).
33. 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 Kay Rutledge, Parks Division at 266-4816 if you have any questions regarding the following 6 items:**

34. The Parks Division's initial review of the proposed unheated storage building indicates the current design does not provide sufficient storage space to meet the needs of the Olbrich Gardens maintenance operation. In addition to the storage area concerns, the proposed vehicle bay is under-sized: vehicle stalls shall be a minimum of 30 feet deep to provide space for maintenance operations. Vehicle bays shall also be designed to allow for temporary heating during cold weather operations. The Developer shall continue to refine the program and space allocation for this facility with the Parks Division prior to final project approval.
35. The Developer shall work with the Madison Fire Department in determining the necessary fire suppression systems for the storage building based upon the materials stored within by the Parks Division.
36. The Developer shall enter into an access easement agreement with the Parks Division to allow vehicle access from Olbrich Gardens to the future leaf mulch production area in the northwest quadrant of the site. The easement shall extend from the existing railroad crossing to the proposed entry drive and allow the transportation of leaf mulch via motorized carts and occasional tractor traffic. The proposed access route shall follow the alignment of the future stone path indicated in the submittal. The path shall be widened from 5 feet to a minimum of 8 feet and curb cuts shall be provided at the access drive and at the edge of proposed south parking lot.
37. The Developer shall provide a minimum of twelve (12) parking stalls near the storage building and the Olbrich Gardens cottage for staff parking.
38. The Developer shall provide a minimum 2 inch water service and spigot at the exterior of the storage building for use by the Parks Division.
39. 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 Dennis Cawley, Water Utility at 266-4651 if you have any questions regarding the following item:**

40. This property is not in a wellhead protection district. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

**Please contact Bill Sullivan, Fire Department at 261-9658 if you have any questions regarding the following item:**

41. Provide automatic fire sprinklers in each micro lodge supplied by the domestic water service in accordance with NFPA 13D- Standard for Sprinkler Systems in One- and Two-family dwellings. Additional information is available at the Home Fire Sprinkler Coalition website: <http://www.homefiresprinkler.org/Consumer/ConsHome.html>

**Please contact Matt Tucker, Zoning Administrator at 266-4569 if you have any questions regarding the following 11 items:**

42. Work with Zoning and Planning staff for approval of the Zoning text.
43. Parking requirements for persons with disabilities must comply with sec. 28.141(4)(e). Final plans shall show the required accessible stalls, including van accessible stalls, striped access aisles, and required accessible signage at the head of the stalls.
44. Exterior lighting provided shall be in accordance with City of Madison General Ordinances Section 10.085. Provide an exterior lighting plan and fixture cut sheets, with the final plan submittal. (Note: This condition pertains to the second phase SIP anticipated to be submitted in September, 2015).
45. Per section 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. Submit the landscape plan and worksheet stamped by the registered landscape architect. (Note: This condition pertains to the second phase SIP anticipated to be submitted in September, 2015).
46. Bicycle parking design and location shall meet the requirements of Section 28.141(11). Submit a detail of the proposed bike rack.
47. Provide details of the proposed unheated storage building, including floor plans and elevations with materials and colors. (Note: This condition pertains to the second phase SIP anticipated to be submitted in September, 2015).
48. Provide typical examples of the proposed micro lodges. (Note: This condition pertains to the second phase SIP anticipated to be submitted in September, 2015).
49. Per section 28.142(9)(d), all rooftop mechanical equipment and utilities shall be fully screened from view from any street or residential district, as viewed from six (6) feet above ground level.
50. Show the location of the refuse disposal areas. Such area shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet.
51. Parking for automobiles and other motor vehicles shall be designed according to the requirements of MGO Section 10.08. All parking lots and driveways shall have paved or approved surfaces, as required in MGO section 10.08.
52. 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 and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

**Please contact Eric Halvorson, Traffic Engineering at 266-6527 if you have any questions regarding the following 7 items:**

53. The location of the possible monument sign will need to be evaluated and approved prior to final sign off to insure adequate sight distance along the sidewalk and street is present.
54. Applicant shall use materials that clearly identify the crossing of the railroad at Sugar Avenue is not a vehicular exit. Materials and layout shall be approved by City of Madison Parks to insure maintenance vehicles can adequately traverse the crossing.
55. A bike and pedestrian path easement through the site from the existing railroad crossing at Sugar Avenue north to a planned bike and pedestrian bridge over the Starkweather Creek in the vicinity of Dawes Street shall be required.
56. 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.
57. 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.
58. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

**The applicant is also required to satisfy the conditions of approval of the Urban Design Commission and Landmarks Commission prior to the final staff approval of the project and the issuance of permits. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 or Amy Scanlon, Preservation Planner, at 266-6552 if you have any questions about those conditions.**

**Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.**

After the planned development has been revised per the above conditions, please file **twelve (12) sets** of complete, fully dimensioned, and to-scale plans, the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, 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 final 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. 28.181(5), determines that no changes in the surrounding area or neighborhood since approval of the general development plan render the project incompatible with current conditions and grants an extension of up to twenty-four (24) months in which to obtain a building permit. In no case shall an extension allow a building permit to be issued more than sixty (60) months after approval of the general development plan by the Common Council. If a new building permit is required pursuant to sec. 29.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain general development plan approval and specific implementation plan approval.

If you have any questions regarding recording this plan or obtaining permits, please call Matt Tucker, Zoning Administrator, at 266-4551. If I may be of any further assistance, please do not hesitate to contact me at 266-5974.

Sincerely,

Heather Stouder, AICP  
Planner

cc: Matt Tucker, Zoning Administrator  
Amy Scanlon, Preservation Planner  
Al Martin, Urban Design  
Eric Halvorson, Traffic Engineering  
Janet Schmidt, City Engineering  
Jeff Quamme, Engineering Mapping  
Kay Rutledge, Parks Division  
Heidi Radlinger, Real Estate  
Amy Scanlon, Landmarks

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

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Signature of Property Owner (if not Applicant)*

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 checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Real Estate
<input checked="" type="checkbox"/>	Landmarks Commission		