



Department of Planning & Community & Economic Development
Planning Division

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February 28, 2013

David Ferch
Ferch Architecture
2704 Gregory Street
Madison, Wisconsin 53711

RE: Approval of a request to rezone 2224 Regent Street from TR-C2 (Traditional Residential-Consistent District 2) to TR-V1 (Traditional Residential-Varied District 1) and approval of a demolition permit and conditional use to allow a single-family residence to be razed and a four-unit apartment building to be constructed. (Sue & Patrick Grady)

Dear Mr. Ferch;

At its February 26, 2013 meeting, the Common Council **approved** your client's request to rezone 2224 Regent Street from TR-C2 to TR-V1. The Plan Commission **conditionally approved** the related demolition permit and conditional use for this project on February 18, 2013 subject to approval of the rezoning of the property. The following conditions of approval shall be satisfied prior to final approval of this request and the issuance of permits for demolition and new construction:

Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following eleven (11) items:

1. The proposed rain garden in the northeast corner of the site will be required to be designed such that during a 10-year storm event the peak rate of discharge off the site matches the current peak rate of discharge in the lot's existing condition.
2. Preliminary approved apartment unit numbers are as follows: Lower right unit - # 101; Lower left unit - # 102; Upper right unit - # 201; Upper left unit - # 202.
3. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
4. The applicant shall replace all sidewalk and curb and gutter abutting the property, which is damaged by the construction, or any sidewalk and curb and gutter that 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.
5. All work in the public right of way shall be performed by a City-licensed contractor.
6. All damage to the pavement on Regent Street and Ash Street adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.

7. 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.
8. 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.
9. For commercial sites less than 1 acre in disturbance, the City of Madison is an approved agent of the Department of Commerce and Department of Natural Resources (WDNR). As this project is on a site with disturbance area less than one (1) acre, 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.
10. 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).
11. Prior to final approval of the demolition permit, the owner shall obtain a permit to plug each existing sanitary sewer and/ or storm sewer lateral that serves a building that is proposed for demolition. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing 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: New plugging procedures and permit fees are in effect as of January 1, 2013.

Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have questions about the following four (4) items:

12. A condition of approval shall be that no residential parking permits shall be issued for 2224 Regent Street, as would be consistent with other projects in the area. The applicant shall inform all tenants of this facility of the restriction in their apartment leases. The applicant shall submit a copy of the lease for the 2224 Regent Street project noting this condition when submitting final plans for City approval.
13. 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'.
14. 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.
15. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following two (2) items:

16. Provide a reuse/recycling plan, to be reviewed and approved by the City's Recycling Coordinator, George Dreckmann, prior to a demolition permit being issued. Section 28.185(7)(a)5. 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.
17. For the proposed detached accessory structure (refuse containers and bicycle parking), provide detail showing the structure meets enclosure requirements for long-term bicycle parking and refuse enclosure with final plans.

Please contact Dennis Cawley of the Madison Water Utility, at 261-9243 if you have any questions regarding the following item:

18. 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.

Please contact Bill Sullivan of the Madison Fire Department, at 261-9658 if you have any questions regarding the following two (2) items:

19. Provide fire apparatus access as required by IFC 503 2009 edition, MGO 34.503, as follows: Per IFC 503 Appendix D105, provide an aerial apparatus access fire lane that is at least 26 feet wide, with the near edge of the fire lane within 30 feet and not closer than 15 feet from the structure, and parallel to one entire side of the structure, if any part of the building is over 30 feet in height.
20. Note: The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances. Please consider allowing the Madison Fire Department to conduct training sequences on this site prior to demolition. Contact the MFD Training Division at 246-4587 to discuss this possibility.

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

21. The developer shall pay \$9413.60 in park impact fees (2013 fees in lieu of parkland dedication and for park development) for the 4 multi-family units proposed lest a credit of \$3,687.96 for the existing single-family residence to be razed. The developer must select a method for payment of the \$5,725.64 of park fees due before signoff on the SIP. This development is within the Vilas-Brittingham impact fee district (SI28). (Please reference ID#13102 when contacting Parks about this project.).
22. Existing street trees shall be protected. The contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, the contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system.
23. 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 my office at 261-9632 if you have questions about the following three (3) items, including the two (2) conditions of approval added by the Plan Commission and Common Council (#25 & 26):

24. Revise the project plans per Planning Division approval prior to the issuance of demolition or building permits for the project to eliminate the accessible entrance shown along Regent Street (the accessible sidewalk from Ash Street shall remain). Staff feels removal of this accessible ramp will result in a front yard aesthetic that is more consistent with other nearby residential properties.
25. The applicant shall comply with all applicable State of Wisconsin and City of Madison building code requirements during the demolition of the existing building, including lead and asbestos abatement requirements.
26. Prior to the issuance of demolition or building permits, the applicants shall consult a certified arborist to document the condition of the 15-inch Norway spruce located at 2222 Regent Street adjacent to their eastern property line and prepare a plan for protecting that tree that includes fencing or other protective measures to limit impacts on the tree's root system from the proposed demolition and new construction on the subject site. The protection plan shall be reviewed by Planning staff prior to permit issuance.

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

No interior, exterior or structural demolition or wrecking activities or remodeling activities (including material reclamation activities by the applicant or a third party) shall commence nor any wrecking or building permits 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 permits for your project:

1. Please revise your plans per the above conditions and submit **nine (9) copies** of a complete, fully dimensioned and scaled plan set to the Zoning Administrator for final review and comment. Also be sure to include any additional materials requested by these departments for their approval prior to sign off. The final site plan shall be accompanied by the appropriate site plan review application and fee pursuant to Section 28.12(13)(a)10 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.
2. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting demolition and/ or building permit approval.
3. 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.
4. The Madison Water Utility shall be notified to remove the water meter(s) prior to demolition.

5. This rezoning approval shall become null and void eighteen (18) months after the date of the Common Council action 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. This approval shall be null and void if the conditions in this letter are not met within twenty-four (24) months of the Council action, after which time the zoning of the property shall revert to what it was prior to this approval.
6. 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 (1) 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. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

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

Sincerely,

Timothy M. Parks
Planner

cc: Janet Dailey, City Engineering Division
Eric Halvorson, Traffic Engineering Division
Bill Sullivan, Madison Fire Department
Dennis Cawley, Madison Water Utility
Kay Rutledge, Parks Division
Pat Anderson, Asst. Zoning Administrator

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

Signature of Applicant

*Signature of Property Owner
(If Not Applicant)*

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<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"/>	Rec. Coord. (R&R Plan)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: