



Report to the Plan Commission

February 6, 2012

Legistar I.D. #24913 & 25092
723 State Street
Demolition Permit & PUD Rezoning

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

Requested Action: Approval of a request to rezone 723 State Street from R6 (General Residential District) to Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow demolition of the existing St. Paul University Catholic Center and the construction of a new six-story church and student center.

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: If the Plan Commission can find that the standards and criteria for approval for demolition permits, zoning map amendments and planned unit developments are met, it should approve the demolition of the existing St. Paul University Catholic Center on the subject site and recommend approval of Zoning Map Amendment ID 3578 & 3579, rezoning 723 State Street from R6 (General Residential District) to PUD-GDP-SIP, subject to the input at the public hearing and the conditions from the Planning Division and reviewing agencies, which begin on page 9.

If the Commission does not find that the standards and criteria for approval are met, staff recommends that the Plan Commission refer the zoning map amendment and related demolition permit to a future meeting to allow the project to receive final approval from the Urban Design Commission.

Background Information

Applicant & Property Owner: Father Eric Nielsen, St. Paul University Catholic Center; 723 State Street; Madison.

Agent: Robert Shipley, BMZ Architects; 2211 Parmenter Street; Middleton.

Proposal: The applicant is requesting approval to demolish the existing St. Paul University Catholic Center and construct a new six-story church/ student center that will feature a 580-seat chapel and a variety of study, conference, administrative office, dining, event, and library spaces. The project will commence on or after December 26, 2012, with completion scheduled in July 2014.

Parcel Location: An approximately 0.26-acre (11,352 square feet) parcel located on the south side of State Street between East Campus Mall and N. Lake Street; Aldermanic District 8 (Resnick); Madison Metropolitan School District.

Existing Conditions: The site is developed with the existing two-story church and student center, zoned R6 (General Residential District).

Surrounding Land Use and Zoning:

North: Library Mall, zoned R6 (General Residence District); Memorial Library, zoned PUD-SIP;

South: Pres House Apartments, zoned PUD-SIP;

West: University Presbyterian Church, zoned PUD-SIP;

East: Fitch Court; Calvary Lutheran Student Center, University Bookstore, zoned C2 (General Commercial District); UW Extension Building, zoned R6.

Adopted Land Use Plan: The Comprehensive Plan identifies the subject site and surrounding properties as part of the University of Wisconsin–Madison Campus. The Campus land use designation recognizes the “wide diversity of uses associated with the primary education mission” of institutions such as the UW. Cultural and institutional facilities are recommended land uses in the Campus district, and the interlacing of University-related and non-University uses outside of the core of the UW campus is specifically recommended.

Environmental Corridor Status: The subject site 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 property will be zoned PUD-SIP. The project will be reviewed in the following sections.

| Other Critical Zoning Items | |
|---|---|
| Yes: | Adjacent to Landmark (Pres House), Utility Easements, Barrier Free |
| No: | Urban Design, Floodplain, Wellhead Protection, Waterfront Development |
| Prepared by: Tim Parks, Planning Division | |

Project Review

The applicant is requesting approval of Planned Unit Development zoning for an 11,352 square-foot parcel located on the south side of State Street between East Campus Mall and N. Lake Street to allow the existing two-story St. Paul University Catholic Center to be demolished and a new six-story church and student center to be constructed.

The existing church and student center includes two structures. The eastern half of the subject site is developed with the original 1909 chapel, which is a tall two-story building originally designed in a Neo-Gothic style but renovated in 1967 in a “Brutalist” style popular at that time. The exterior is clad in a combination of limestone and concrete panels and features no windows along the southern, eastern and western walls. Some of the original arched windows, which were blocked in during the renovation, are visible along the eastern façade. The first floor of the center is elevated above the State Street sidewalk by five steps leading to doors facing to the north and east. The remainder of the site is developed with a 2.5-story wood frame residential structure that is clad in wood siding and includes two additions at the front and rear of the converted residence. The front addition stands two stories in height and is clad in limestone materials and includes a decorative band with religious symbols, while the rear addition is one-story tall and is designed in the style of the original house. The two structures are joined by a one-story enclosed hallway located along the front wall of the complex, with an entrance facing State Street. The rear of the converted residence includes a small courtyard that includes two egresses along the western wall of the chapel.

The area immediately surrounding the site is developed with facilities located on or directly serving the University of Wisconsin–Madison campus. The eastern edge of the property abuts Fitch Court, a north-south City alley that serves as a service corridor between State Street and University Avenue for various buildings located in the block bounded by State, University, N. Lake Street and East Campus Mall (formerly N. Murray Street). The site is located opposite Library Mall and Memorial Library across State Street, while the UW Extension Building is located southeast of the site across Fitch Court. Uses integral to the University campus but operated by private concerns are located east of the site and include the Calvary Lutheran Student Center and the University Bookstore, which occupy a parcel located at the southwestern corner of State and N. Lake streets in C2 General Commercial zoning. The western and southern edges of the subject site are shared with the University Presbyterian Church and related Pres House Apartments, which are both zoned PUD-SIP. The University Presbyterian Church building at the corner of East Campus Mall and State Street was designated a City landmark in 2002. The two blocks of State Street between N. Lake and N. Park streets are closed to automobiles and feature a landscaped common space with outdoor seating areas, bulletin boards, and a number of mobile vending carts. The southern edge of the subject site shares a private walkway that extends between Fitch Court and East Campus Mall and extends between the adjacent Pres House church and apartment building. The walk includes a number of vertical bike racks adjacent to southern walls of both churches, which are primarily used by residents of the adjacent apartments.

The new six-story church and student center will largely be built to the property lines of the 86-foot wide and 132-foot deep site, with a foundation footprint of 85 feet parallel to State Street and 130 feet along Fitch Court. The new facility will include a full basement featuring an approximately 3,900 square-foot dining room and related kitchen and pantry, as well as a crypt chapel, small meeting room, and a variety of storage and mechanical rooms. At the grade of State Street, the plans call for the northern two-thirds of the floor to be occupied by a 3,828 square-foot student center, studies, 2 small offices, a reading room, and coffee shop with small outdoor eating area at the northwestern corner of the building adjacent to the State Street Mall. The rest of the first floor will be devoted to service and mechanical spaces, with a small parking and loading area proposed at the southeastern corner of the building, which will be accessed from Fitch Court. Floorplans submitted with the project show a total of 6 double doors facing north towards State Street, including a series of 5 doors that will open directly onto the sidewalk.

The chapel will occupy most of the second and third floors of the new building, with the sanctuary proposed along the southern wall of the second floor and a large lobby proposed along the northern wall. The third floor will include balcony seating overlooking the chapel below on three sides. Total occupancy for the two-story chapel will be 580 persons. The fourth floor of the new facility will primarily be occupied with a variety of office spaces, while the fifth floor will include 2 apartments for clergy, including an 8-bedroom apartment. A two-story library is also proposed on the fourth and fifth floors.

The sixth occupied floor of the proposed church and student center will primarily be occupied by an approximately 2,900 square-foot multi-purpose room and small kitchen. The sixth floor will be set back nearly 40 feet from the majority front wall below and 19.5 feet from the most of the southern wall. The multi-purpose room will open onto a large roof garden located in the stepback along the northern/ front wall and onto a balcony in the stepback along the southern/ rear wall.

Overall, the new facility will have 62,714 square feet of floor area, including all of the spaces proposed on the basement level. The letter of intent indicates that 30 bicycle and moped parking stalls will be provided to serve the new church and student center, though those spaces are not shown on the plans that were submitted with the application.

The applicant describes the architecture of the proposed design of the building as a “new classicism”, combining traditional Catholic forms and symbolism with a modern energy” in the style of traditional American church architecture of the 1930s, which combines Italianate, Romanesque and Art Deco styles. The exterior of the building will primarily consist of brick, with natural and cast stone spandrels and trim elements, with a prominent two-story tall religious mural or fresco proposed above the second floor along the State Street facade. The building will be topped with a tall standing-seam copper roof and prominent cupola.

Analysis & Evaluation

The developer is requesting approval of Planned Unit Development zoning to facilitate construction of a new six-story church and student center to replace the existing St. Paul University Catholic Center. The letter of intent indicates that involvement in St. Paul’s has grown significantly in the last decade and that the existing building “has far exceeded the ability of the existing facility to meet [the] present and growing demands.” The letter of intent describes the existing facility as “outdated, cramped, and in need of major upgrades” and further describes a lack of accessibility and an interior not suited to the mission or needs of the institution. Interior and exterior photos of the building are included with the Plan Commission materials. The Planning Division has not toured the inside of the building, but is familiar with the facility and believes that the demolition permit standards can be met with this request.

Consistency with the Comprehensive Plan:

As with any rezoning, the Plan Commission shall not recommend the adoption of a proposed zoning map amendment unless it finds that the proposed rezoning is “in the public interest and is not solely for the interest of the applicant, and shall not recommend a proposed amendment without due recognition of the master plan of the City.” In addition, Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be *consistent with* the City’s comprehensive plan. 2010 Wisconsin Act 372 clarified “Consistent with” as “furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan.”

The Comprehensive Plan identifies the subject site and surrounding properties with the exception of the adjacent University Bookstore and Calvary Lutheran Student Center as part of the University of Wisconsin–Madison Campus. The bookstore and Calvary center property are in the “State Street District” Downtown Mixed-Use Sub-District, which recommends a mix of government and institutional uses, cultural and arts facilities, higher-density housing, and office, service, dining, and entertainment, uses in two- to four-story buildings for properties located along or adjacent to the State Street corridor extending from N. Lake Street to the Capitol Square.

The Campus land use designation recognizes the “wide diversity of uses associated with the primary education mission” of institutions such as the UW. Cultural and institutional facilities are recommended land uses in the Campus district, and the interlacing of University-related and non-University uses outside of the core of the UW campus is specifically recommended. There are no location and design characteristics specified in the Campus district text, but the Comprehensive Plan recommends in general that new development in the Campus designation be compatible with surrounding uses and their design characteristics, and mitigate potential negative impacts on adjacent areas. Vehicle access and parking in Campus districts should be designed to minimize congestion and potential negative impacts both within the campus and in the surrounding neighborhoods.

Staff believes that the continued presence of the St. Paul University Catholic Center and its student-oriented ministry in a new, larger facility on a site that it has occupied for more than a century in some form or another is consistent with the objectives, goal and policies of the Comprehensive Plan.

Conformance with the Planned Unit Development Standards

As a basis for determining the acceptability of a planned unit development, the Zoning Code requires that the criteria contained in Section 28.07(6)(f) be applied with specific consideration as to whether or not the proposed planned unit development “is consistent with the spirit and intent of this ordinance and has the potential for producing significant community benefits in terms of environmental and aesthetic design.”

In reviewing the proposed planned unit development, the Planning Division believes that the Plan Commission should give greatest consideration to criteria 1a and 1b, which address the character and intensity of the land uses and their intensity in a planned unit development district, and require that their appearance and arrangement be of a visual and operational character which is “compatible with the physical nature of the site or area” (1a) and “would produce an attractive environment of sustained aesthetic desirability, economic stability and functional practicality compatible with the [Comprehensive] plan.” (1b)

The proposal for the six-story church and student center is much smaller in scope and scale than a prior proposal for this site, which called for 15-story facility that would include 9 stories of residential units in addition to the six stories of church and student center uses. Planning staff expressed significant concerns about that earlier proposal due to its height and scale being out of character with its surroundings and it being of such an operational intensity that it could adversely impact other nearby properties. However, staff believes that the smaller six-story facility now proposed is more in keeping with the scale and operational intensity of other buildings located nearby, which as noted earlier in this report includes a variety of University buildings and non-University buildings that have a direct operational relationship with the University, like Pres House and the University Bookstore. The new St. Paul University Catholic Center will fall within the established development pattern present in the 700-block of State Street, which include building buildings ranging in height from 2 stories (University Bookstore) to approximately 8 stories (Memorial Library, with height varying throughout that complex).

Architecture/ Building Design: One concern has emerged since the current plans for the new, smaller church and student center were first revealed last fall. Staff from the Planning Division and members of the Landmarks Commission have expressed concerns about the architecture of the proposed building, which as noted in the preceding section includes elements of Italianate, Romanesque and Art Deco styles and includes a significant roof and cupola above the sixth floor.

As noted, Pres House is a designated City Landmark. Section 28.04(3)(n) of the Zoning Code requires that the Landmarks Commission make an advisory recommendation to the Urban Design Commission and Plan Commission for any proposed development adjacent to a designated landmark, specifically that “...to determine whether the proposed development is so large or visually intrusive as to adversely affect the historic character and integrity of the adjoining landmark or landmark site.”

In reviewing the proposed St. Paul’s redevelopment prior to the Landmarks Commission’s December 5, 2011 review of the project, Amy Scanlon, the City’s Preservation Planner, recommended that the Landmarks Commission find the project to not be so large that it would have an adverse affect on the historic character and integrity of the adjacent landmark University Presbyterian Church at 731 State Street. However, the staff report (attached) expressed concerns that “the application of numerous unresolved traditional and contemporary architectural styles created a complex and overly detailed

design that [could] be considered so visually intrusive that it could create an adverse affect on the adjacent landmark.” Ms. Scanlon recommended that the Landmarks Commission recommend to the Urban Design Commission and Plan Commission that St. Paul’s pursue a “simple unified architectural expression for the new building.”

At its December 5, 2011 meeting, the Landmarks Commission made an advisory recommendation to the Urban Design Commission and Plan Commission that the proposal was not so large that it has an adverse affect on the historic character and integrity of the adjacent landmark. However, the Landmarks Commission also recommended to the Urban Design Commission and Plan Commission that a more unified architectural expression for the building be pursued (see attached reports).

Similar concerns have been expressed by members of the Urban Design Commission. While specific comments about the architecture were limited during an informational presentation before the Commission in September, more detailed discussion of the building’s architecture occurred during a hearing on the applicant’s request for initial approval from the UDC on December 7, 2011, when the project was referred.

The discussion of the project’s architecture continued as part of the UDC’s next hearing on the project on January 18, 2012, which resulted in the project receiving a recommendation of initial approval on a 6-1 vote. Concerns about the continued direction of the project’s architecture led members of the UDC to request reconsideration of the recommendation of initial approval one week later during a special meeting of the Commission to discuss the Downtown Plan. A motion to reconsider the earlier recommendation failed on a 3-4 vote. The draft report from that meeting includes a lengthy discussion by the UDC of the project’s architecture.

In the case of planned unit developments, the UDC is asked to make a recommendation to the Plan Commission on whether the criteria for approval in Section 28.07(6) of the Zoning Code are met with a proposed project design. The UDC has historically approached this charge using a two-tiered review – “initial” and “final” approval – which is intended to afford applicants a high degree of flexibility in receiving their project approvals from the UDC, Plan Commission and Common Council. While there are no fixed parameters for what constitutes “initial” and “final” approval, initial approval of a specific implementation plan by the UDC customarily means that the proposed uses, basic site plan, building scale and massing, and general approach to project design are acceptable. Final approval of a specific implementation plan typically covers remaining design elements such as the review of the exact final details of a project as it will be built, including the final architecture, lighting, and landscaping. The UDC has varied on a project by project basis whether initial or final approval can be granted based on the specific nature of the project before them. A number of factors can affect whether a project is ready for initial or final approval, including the level of information presented to the Commission by an applicant.

Similarly, other planned unit development rezonings have continued through the approval process with different levels of recommendation from the UDC depending on the UDC actions and whether the Plan Commission and Common Council can find the criteria for approval for planned unit developments met even though the project in question may still need final approval by the UDC before the project commences construction.

In this case, the UDC recommended initial approval of the planned unit development on a 6-1 vote. While there was substantial discussion about the design direction, their recommendation asked the applicant to address four specific elements of the project when they returned for final approval.

All of the Urban Design Commission reports related to the six-story St. Paul University Catholic Center project are attached for the Plan Commission’s reference.

Planning staff believes, given the continued concern expressed at both the staff and commission levels about the architectural expression of the proposed development, that the Plan Commission should shares its opinions on these issues and either forward the project to the Common Council as presented or refer this project until it has received final approval from the Urban Design Commission. The standard of concern is whether the proposed planned unit development will be compatible with the physical nature of the site or area, and that the project can produce significant community benefits in terms of environmental and aesthetic design.

Access: Additionally, the proposed St. Paul University Catholic Center redevelopment project presents some unique challenges regarding access and operation that should be given careful consideration by the Plan Commission. Criteria 1d of the planned unit development criteria requires that the proposed development “not create a traffic or parking demand incompatible with the existing or proposed facilities to serve it unless jointly resolved.” Two issues will require careful coordination if the St. Paul’s project is approved.

First, the new church and student center will take vehicular access at its southeastern corner from Fitch Court. As noted earlier in this report, Fitch Court currently extends as a public alley between State Street and University Avenue. However, in 2009 the City approved a Transportation Master Plan by the UW to guide future development of the 700- and 800-blocks of University Avenue and State Street and the 400-blocks of N. Lake Street and East Campus Mall. That plan conceptually calls for Fitch Court to be terminated as a alley thoroughfare north of University Avenue as part of the future construction by the University of a music performance facility and music education facility on the portion of the 700-block of University Avenue currently occupied by Brother’s Bar & Grill, etc. and the UW Extension Building, respectively. As part of those projects, the University proposes to close Fitch Court and provide access to the properties in this block (including the subject site) through a new access from N. Lake Street where the Extension Building is currently located.

The City Engineering and Traffic Engineering divisions have both recommended conditions that the St. Paul’s project needs to show that its service and loading access can work within the confines of the adopted access plan for this block (which is attached for the Plan Commission’s reference). Additionally, a letter from the University dated December 16, 2011 raises a similar concern, as well as concerns about potential access impacts on University properties and uses related to the University located on this block during construction of the St. Paul’s project. Staff believes that adequate integration of the St. Paul’s project into the existing and future vehicular access network for this block can be achieved but will require careful coordination between the applicant, City agencies and the University before construction of the proposed development can commence.

Secondly, while the application materials do not reference it, the fire lane required to serve the new church and student center is proposed to be located off the subject property on State Street. The space in front of the site is a heavily traveled pedestrian corridor through the East Campus area that features a number of permanent and temporary fixtures ranging from street trees and furniture to a number of seasonal food carts. Early in the discussion about the current plans for the St. Paul University Catholic Center project, Planning staff convened a meeting between the applicant and representatives from various City agencies involved in the design, operation and maintenance of the mall in the 700-block of State Street, including the Vending Coordinator, Fire Department, and Parks Division staff.

While it was generally felt by the staff members present that St. Paul’s use of State Street for its permanent fire lane could be accommodated, it was conditioned upon the provision of that fire lane being subordinate to the continued operation of the block as an intimate urban pedestrian mall that features a number of food carts. The fire lane also cannot cause significant alteration to the State Street

streetscape, including but not limited to the elimination of street trees or street furniture. The City Engineer indicates that the two-block long mall between N. Park and N. Lake streets is scheduled for reconstruction in 2014. While it is not anticipated that the mall reconstruction will be designed to cause the interruption of the St. Paul's fire lane, nor will the continuation of the mall in the 700- and 800-blocks of State Street as an attractive and engaging urban pedestrian thoroughfare be subordinated to the fire lane.

Conclusion

The Planning Division is generally supportive of the proposed demolition of the existing St. Paul University Catholic Center and construction of a new six-story church and student center on the subject site. The new facility will allow an important member of the University community to maintain its presence in the East Campus area in a building that Planning staff feels is much more appropriately scaled to fit into its surroundings than an earlier proposal for the site. The proposed Planned Unit Development zoning district requested to facilitate the development of the new church and student center appears to be consistent with the Comprehensive Plan recommendations for the subject site and most properties located west of N. Lake Street.

One concern the Planning Division has with the current proposal is the architecture and concerns expressed by the preservation planner, Landmarks Commission and some members of the Urban Design Commission. In order to approve the project, the Plan Commission must find that the criteria for approval for planned unit developments found in Section 28.07(6)(f) of the Zoning Code are met. The City's preservation planner and Landmarks Commission have both opined that the current design of the facility is visually intrusive adjacent to the landmark University Presbyterian Church and recommended that a more unified architectural expression for the St. Paul's project be pursued.

The Plan Commission should bear in mind, however, that the Urban Design Commission has recommended initial approval of the project, and while there was a request to consider this recommendation, the motion to reconsider failed. While some members expressed concern about the overall architectural direction of the project, the prevailing votes was in favor of the current design.

While some other planned unit developments have proceeded through the Plan Commission and Common Council review process with only a recommendation of initial approval from the Urban Design Commission, the Plan Commission and Common Council will need to determine if the proposed rezoning meets all of the criteria for planned unit developments at this time or if it wishes for the Urban Design Commission to grant final approval prior to taking action. The Planning Division is supportive of the project subject to the final details of the project being resolved.

Additionally, the Planning Division believes that careful coordination between the applicant, City and University of Wisconsin–Madison on access issues related to this development will be required as the St. Paul's project proceeds to final approval and construction to ensure that the project can be adequately integrated into the existing and future access and circulation patterns for the 700-blocks of State Street and University Avenue.

Staff Recommendations, Conditions of Approval & General Ordinance Requirements

Major/Non-Standard Conditions are shaded

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

If the Plan Commission can find that the standards and criteria for approval for demolition permits, zoning map amendments and planned unit developments are met, it should approve the demolition of the existing St. Paul University Catholic Center on the subject site and recommend approval of Zoning Map Amendment ID 3578 & 3579, rezoning 723 State Street from R6 (General Residential District) to PUD-GDP-SIP, subject to the input at the public hearing, the Planning Division conditions that follow, and the conditions from reviewing agencies.

If the Commission does not find that the standards and criteria for approval are met, staff recommends that the Plan Commission refer the zoning map amendment and related demolition permit to a future meeting to allow the project to receive final approval from the Urban Design Commission.

Planning Division Conditions of Approval

1. That the specific implementation plan be revised per Planning Division approval prior to final approval of the PUD for recording and the issuance of demolition or building permits as follows:
 - 1a. show the number and location of the proposed bicycle and moped parking stalls indicated in the letter of intent, with the dimension of those stalls, noting that the final number of stalls may be increased by Planning staff in consultation with the Zoning Administrator and Traffic Engineer to ensure that adequate bike parking is being provided for the new, larger facility;
 - 1b. provide fully dimensioned civil site, utility, grading and landscaping plans for the project stamped by the appropriate engineering and landscape architect professionals;
 - 1c. provide four-sided elevations that include height dimensions at the base and top of the proposed cupola (any ornamentation to be located on that structural element); no part of the structure shall extend above 187.2 feet City datum except as permitted in Section 28.04(14) of the Zoning Code as a conditional use.
2. That the applicant revise the zoning text per Planning Division approval prior to final approval of the PUD for recording and the issuance of demolition or building permits as follows:
 - 2a. the list of permitted uses shall be revised to specify:
 - churches and places of worship;
 - accessory residential units as shown on the approved plans for staff and visiting clergy and guests of the student center;
 - uses coincident with a student center, including events that may be open to the public;
 - restaurant/ coffeehouse, with accessory outdoor eating area as shown on the approved plans;
 - accessory uses directly associated with those permitted uses.
 - 2b. signage shall be limited to the maximum permitted in the R6 zoning district, as approved by the Urban Design Commission or its secretary and the Zoning Administrator;
 - 2c. the family definition shall note that the proposed residential units are intended for the occupancy of resident and visiting clergy and guests of the center and are not intended for rental to the general public.
3. That the project receive final approval from the Urban Design Commission prior to final approval of the PUD for recording and the issuance of demolition or building permits. Any issues addressed during final approval may be appealed to the Plan Commission.
4. That a permanent fire lane to serve the project be approved by the City Engineering Division, Traffic Engineering Division, Fire Department and Planning Division prior to final approval of the planned

unit development for recording and the issuance of any permits for demolition or new construction. The design of this fire lane shall consider the objective of preserving the State Street pedestrian mall as an attractive and engaging pedestrian corridor, and final approval of this fire lane shall be conditioned upon the applicant acknowledging that the fire lane shall be subordinate to the existing and future design of the State Street pedestrian mall, including any existing and future street vending located in the 700-block. [In other words, maintenance of the St. Paul University Catholic Center fire lane shall not take precedence over the City's goals and objectives for the State Street pedestrian mall or long-term operation of food carts, etc. within the public right of way.]

5. That the applicant receive approval of a permanent access plan for the service, loading and parking area located at the southeastern corner of the building from the City Engineering Division, Traffic Engineering Division and Planning Division prior to final approval of the planned unit development for recording and the issuance of any permits for demolition or new construction. A copy of the final access plan shall be provided to Gary Brown, University of Wisconsin–Madison for his review and comment prior to final approval of the access plan.

The following conditions have been submitted by reviewing agencies:

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

6. The developer shall coordinate their project with the City reconstruction project on State Street (2014, Project No. 53W1193). Temporary construction access and permanent fire lane access must be coordinated with the City.
7. A permanent access plan should be provided for comment. The developer should note that Fitch Court may be vacated to the south of their site.
8. Provide a detailed plan for staging and deliveries during the construction of the project.
9. Revise the drawings to show connection to the public utilities located in State Street. The City is investigating if the sanitary sewer can be abandoned on Fitch Court.
10. The current site plan drawings are incomplete and do not meet minimum requirements for SIP-level plan review. Additional comments will be provided by City Engineering when a complete site plan is made available for City agency review. Prepare and submit a complete plot/site plan of the entire site, drawn to scale and fully dimensioned, showing any parking or loading facilities to be provided in compliance with 28.11(2)(f) MGO and any additional information as may be required by the Zoning Administrator, including, but not limited to the following: all adjacent public right of way and property lines; all existing and proposed buildings (including any accessory buildings not on concrete foundation), and; existing and proposed impervious areas including but not limited to, buildings, sidewalks, parking (paved bituminous, concrete, gravel, etc.).
11. The applicant shall resurface or reconstruct Fitch Court and the Street Permanent limited easement from Fitch Court to N. Lake Street which is damaged from the construction of this development. Since construction access is planned on Fitch Court from University Avenue, this may result in resurfacing or partial reconstruction of the southerly portion of Fitch Court south of this property and is likely to require reconstruction of Fitch Court immediately adjacent to this property. If the City can abandon the public sanitary sewer or water main in Fitch Court, the applicant shall coordinate any additional utility work with the City prior to the reconstruction of Fitch Court.

12. If the applicant wishes to enhance the surface improvements on Fitch Court to include any non-standard or decorative features such as pavers or specialized paving, the property owner shall be required to enter into a maintenance agreement for the perpetual maintenance of these improvements.
13. The construction of this development 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.
14. The approval of this 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.
15. 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.
16. 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.
17. The applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
18. The applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the City. The stone used for the exposed aggregate shall be approved by the City. The Construction Engineer shall be notified prior to beginning construction. Any work that does not match the adjacent work or which the City Construction Engineer finds is unacceptable shall be removed and replaced.
19. All work in the public right of way shall be performed by a City-licensed contractor.
20. All damage to the pavement on State Street and Fitch Court adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
21. The site plans shall be revised to show the location of all rain gutter down spout discharges.

22. 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.
23. 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.
24. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to 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.
25. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right of way. It may be necessary to provide information off the site to fully meet this requirement.
26. The applicant shall submit, prior to plan signoff, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number: building footprints; internal walkway areas; internal site parking areas; other miscellaneous impervious areas lot lines; lot/ plat lines, dimensions and labels; right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
27. All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc. shall be shown on the plan.
28. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
29. Prior to approval of the issuance of a demolition permit, 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.
30. 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.
31. City of Madison Environmental project staff is not aware of any land dedications required for this project. As a result, a Phase 1 Environmental Site Assessment (ESA) **will not** be required of the applicant. If right of way is dedicated as a result of the project, the applicant shall notify Brynn Bemis (267-1986) to determine if a Phase I ESA will be required.

Traffic Engineering Division (Contact Bryan Walker, 267-8754)

32. Vehicle access, including truck, loading and fire access to the site may not be fully secured and adequate for future development on this block. Current access to this site is via the existing public street of Fitch Court. In the future, the University of Wisconsin's Master Plan vacates existing Fitch Court, from University Avenue to Pres House and this site, as noted in the Chazen Music/ Art Museum Block Master Plan (see Exhibit dated July 24, 2009). The applicant shall provide a alternate site plan showing this future plan as proposed by the UW.
33. 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 grading plans and elevations 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.
34. The applicant shall demonstrate a single unit truck's ingress/egress routes from and to University Avenue (and N. Lake Street on the alternate plan) on the site plan at 1"=20'. The applicant shall demonstrate how truck loading will work without backing into public areas.
35. The applicant shall modify and dimension proposed parking stalls items A, B, C, D, E, F, and degree angle parking with 9-foot wide stalls, which requires a 24 feet to back up, according to Figures II "Medium and Large Vehicles" parking design standards in MGO Sec. 10.08(6)(b) 2. (If 2 feet of overhang is used for a vehicle, it shall be shown on the plan.)
36. 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 and across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2-foot overhang, and a scaled drawing at 1" = 20'.
37. The applicant shall post a deposit and reimburse the City for all costs associated with any modifications to street lighting, signing and pavement marking, including labor, engineering and materials for both temporary and permanent installations.
38. 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)

This agency did not submit comments for this request.

Parks Division (Contact Kay Rutledge, 266-4714)

39. The developer shall contact Parks Division staff to determine if the proposed apartment units will be required to pay park impact (dedication and development) fees. Any park impact fees required shall be paid prior to the issuance of permits for the new building.

Fire Department (Contact Bill Sullivan, 261-9658)

40. Provide fire apparatus access as required by IFC 503 2009 edition and MGO Section 34.503. The MFD does not object to this project provided it complies with all building and fire codes. Additional comments may be forthcoming as the project details fully develop.

Water Utility (Contact Dennis Cawley, 261-9243)

41. 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.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit comments for this request.