



Department of Planning & Community & Economic Development
Planning Division

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February 28, 2013

Robert Feller
Iconica
901 Deming Way
Madison, Wisconsin 53717

RE: Approval of a request to rezone 4902 and 4908 Hammersley Road from R1 (Single-Family Residence District) and C2 (General Commercial District) to C2 and approval of a demolition permit to allow a single-family residence at 4908 Hammersley Road to be razed and an addition to an office building to be constructed (Chris Hornung, Midwest Equity Properties, LLC)

Dear Mr. Feller;

At its February 26, 2013 meeting, the Common Council **approved** your client's request to rezone 4902-4908 Hammersley Road from R1 and C2 to C2. [A parallel zoning map amendment provided the property SE (Suburban Employment District) zoning under the 2011-2012 Zoning Code.] The Plan Commission **conditionally approved** the related demolition permit for the residence at 4908 Hammersley Road 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 twenty-seven (27) items, including the highlighted condition (#1):

- 1. That the City Engineering Division provide notice to the property owners that will be impacted by the required sanitary sewer relocation prior to the Board of Public Works' approval of the developer's agreement and sewer plans for this project.***
2. Communicate with City agencies whether intentions will be ownership transfer or lease of lands for proposed accessory parking lot and provide proper documentation.
3. The existing public sanitary sewer north of the proposed addition has a lateral connected to the City SAS 3564-004. The current plan does not address how this sewer will be kept in service. Revise plan accordingly.
4. The public sanitary sewer relocation and related public easement dedication and release will require a developer's agreement.
5. Modify the note on sheet C300 to refer to a 15-foot wide public sanitary sewer easement.
6. The concurrent one-lot CSM shall be signed off by City Engineering prior to final approval of the related demolition and rezoning application.
7. Sidewalk shown on Sheets C300 and A101 do not match. Revise plans to extend sidewalk to the western edge of the property at 4908 Hammersley Road. Relocation of the overhead utility pole to the new terrace will be required.
8. Provide copies of any permits from the Wisconsin Department of Transportation necessary to discharge water to the WisDOT right of way.

9. The Sewer Utility has agreed to reimburse the applicant for 50% of the additional cost of the work within the Hammersley Road right of way, which shall not exceed \$4,000.
10. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City/ Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
11. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
12. The applicant shall grade the property line along Hammersley Road to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development.
13. The approval of this project does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way, including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
14. 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.
15. All work in the public right of way shall be performed by a City-licensed contractor.
16. All damage to the pavement on Hammersley Road adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
17. 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.
18. 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.
19. 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.
20. Prior to final approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to: detain the 2-, 10-, and 100-year storm events; control 80% TSS (5 micron particle) off of new paved surfaces; provide infiltration in accordance with Chapter 37 of the Madison General Ordinances; provide oil & grease control from the first 1/2" of runoff from parking areas, and; complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by Chapter 37 of the Madison General Ordinances.

21. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) lzenchenko@cityofmadison.com. The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. E-mail file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.
22. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management File including: SLAMM DAT files; RECARGA files; TR-55/HYDROCAD/etc., and; sediment loading calculations. If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided.
23. The applicant shall 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).
24. 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.
25. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
26. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering Division signoff.
27. 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.

Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have questions about the following seven (7) items:

28. The applicant shall relocate the Hammersley Road mid-block crossing shown on the plans to the west side of the westerly driveway of the new parking lot being constructed on the 4817 Hammersley Road site to allow for installation of a pedestrian refuge island. The refuge Island shall be at least 35 feet in length and will be designed by the Traffic Engineering Division. The developer shall post a deposit to cover design costs for the mid-block Crossing.
29. The applicant will need to enter into a developer's agreement to install the following:
 - a.) A pedestrian refuge island at mid-block crossing of Hammersley Road with a "continental" epoxy crosswalk per City of Madison S.D.D. 6.38.
 - b.) Sidewalk along the frontage of the 4817 Hammersley Road parcel from the easterly driveway to the Hammersley Road mid-block crossing location.
 - c.) An ADA-accessible pedestrian ramps to connect the public sidewalk to the mid-block crossing.
 - d.) All necessary signing and marking to install the mid-block crossing.

30. The applicant as part of the developer's agreement shall agree to pay the City of Madison for the ongoing costs of maintaining the mid-block crossing of Hammersley Road, as this crossing is a direct benefit to the site. This shall be represented on the plans prior to final approval.
31. When the applicant shall submit 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 and proposed 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, semitrailer movements and vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2 feet overhang, and a scaled drawing at 1" = 20'. Contact the Traffic Engineering Division if you have questions.
32. 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.
33. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.
34. The applicant shall execute and return a declaration of conditions and covenants for streetlights and traffic signals prior to sign off. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.

Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following eight (8) items:

35. 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. 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.
36. Parking lot plans with greater than 20 stalls, landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.) Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch or other non-vegetative cover. All plant materials in islands shall be protected from vehicles by concrete curbs.
37. Parking and loading facilities shall comply with MGO Sec. 28.11(4). Provide one (1) 10' x 35' loading area with 14 feet of vertical clearance to be shown on the final plan. The loading area shall be exclusive of drive aisle and required maneuvering space.
38. The site shares a zoning district boundary with a residential development to the west. Per MGO Sec. 28.04(12)(c), this development must provide effective 6' to 8' high screening along the district boundary lines of this commercial zoning district adjoining a residential zoning district. Call out screening along this boundary along with details on final plans.
39. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31, MGO, Sign Code. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.
40. Lighting is required. Provide a plan showing at least .5 footcandle on any surface on any lot and an average of .75 footcandles. The maximum light trespass shall be 0.5 fc at 10 feet from the adjacent lot line. (See City of Madison lighting ordinance).

41. Parking requirements for persons with disabilities must comply with MGO Sec. 28.11(3)6.(m), which includes all applicable State accessible requirements, including but not limited to:
- a.) Provide a minimum of four accessible stalls striped per State requirements. These stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent to and on the passenger side. One each for the surface and underground parking areas.
 - b.) Show signage at the head of the stalls.
 - c.) The stalls shall be as near the elevator as possible.
42. Per MGO Sec. 28.11, provide a minimum of 10 bike parking stalls in a safe and convenient location on an impervious surface near the building to be shown on the final plan. Note: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.

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

43. 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 Kay Rutledge of the Parks Division, at 266-4714 if you have any questions regarding the following item:

44. All street tree planting locations and trees species in the right of way shall be reviewed by City Forestry. Please submit a tree planting plan in PDF format to Dean Kahl (266-4816) at dkahl@cityofmadison.com. 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.

Please contact my office at 261-9632 if you have questions about the following item:

45. Revise the plans for 4902-4908 Hammersley Road per Planning Division approval prior to the issuance of a demolition permit for 4908 Hammersley Road and issuance of building permits for the building expansion as follows:
- a.) Revise the project information summary to identify the existing square-footage of the office building, the square-footage of the proposed office addition, and the final gross floor area of the office building.
 - b.) Revise the elevations to remove EIFS within 3 feet of grade on all elevations of the proposed addition.
 - c.) Provide final details of the acoustic screening for the proposed rooftop mechanical equipment; the screens proposed shall be 2 feet taller than the mechanical equipment being screened.
 - d.) Revise the design of the loading stall to make it parallel to the eastern wall of the addition; as shown, it will impede circulation through the parking area east of the office complex. The revised loading stall shall be marked and signed accordingly.
 - e.) Provide a 6- to 8-foot tall solid fence or screening be provided along the western property line adjacent to the residential properties.

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.

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.

Approval of the 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 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.

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
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: