



Department of Planning & Community & Economic Development

Planning Division

Katherine Cornwell, Director

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July 3, 2014

Ed Linville
Linville Architects, LLC
408 East Wilson St.
Madison, WI 53703

RE: Approval of a rezoning of property at 504 West Main Street from DR2 to UMX and the demolition of buildings at 502 and 504 West Main Street for construction of a four-story, 18,000 square foot mixed-use building.

Dear Mr. Linville:

At its July 1, 2014 meeting, the Common Council found the standards met and **approved** your client's request for a rezoning of property at 504 West Main Street from DR2 to UMX, and for the demolition of buildings at 502 and 502 West Main Street, subject to the conditions below. In order to receive final approval of the rezoning and demolition, and for any necessary permits to be issued for your project, the following conditions shall be met:

Please contact my office at 266-5974 if you have questions regarding the following 4 items:

1. Final plans submitted for staff review and approval shall include a clearly marked path for bicyclists to access the underground parking area from the streets. If stairs are to be used, a bicycle ramp shall be included if stairs are to be used for bicycles. The bicycle parking areas shall include at least the minimum number of bicycle parking stalls required in the zoning code.
2. Final plans submitted for staff review and approval shall include a rooftop plan and details for any equipment area screening.
3. Prior to submittal of final plans for staff review and approval, the applicant must obtain final approval from the Urban Design Commission for the proposal.

Note: This condition was added by staff, as final approval has not yet been granted.

4. The applicant shall make efforts to relocate the building at 502 West Main Street until August 30, 2014, at which time this condition is lifted if no site for relocation has been secured.

Note: This condition was added by the Plan Commission at their June 23, 2014 meeting.

Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following 23 items:

5. Currently, the two tax parcels comprising this proposed site are owned by the same entity. Applicant shall provide a written request to Sally Sweeney of the Assessor's office to combine the two tax parcels and create a new tax id parcel prior to issuance of building permits

(ssweeney@cityofmadison.com - 267-8747) Current Parcel No's 0709-231-3206-6 and 0709-231-3205-8.

6. The addresses of 502 W. Main St and 504 W. Main St. will be retired with the demolition of the buildings. The new apartment building will use the address of 506 W. Main St. The commercial tenant shall use the address of 36 S. Bassett St.
7. Roof drainage shall be reconnected to the storm sewer directly.
8. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project (MGO 16.23(9)c).
9. 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.
10. Submit a PDF of all floor plans to izenchenko@cityofmadison.com so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
11. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass (POLICY).
12. The approval of this rezoning does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester (MGO 16.23(9)(d)(6)).
13. The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development (POLICY).
14. The Applicant shall replace all sidewalk and curb and gutter which 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 (POLICY).
15. The Applicant shall provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system (POLICY).
16. 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).

17. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl, of the City Parks Department - dkahl@cityofmadison.com or 266-4816. Approval and permitting of any tree removal or replacement shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan (POLICY).
18. All damage to the pavement on W. Main St., S. Bassett St., 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).
19. 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.
20. The site plans shall be revised to show the location of all rain gutter down spout discharges (POLICY).
21. 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).
22. 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.
23. 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.
24. 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)
25. 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>.
26. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new

procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm> (MGO CH 35.02(14)).

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 (POLICY)

Please contact Pat Anderson of the Zoning Office at 266-5978 if you have any questions regarding the following 9 items:

28. Sec. 28.185 (7)(a)5 requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Mr. George Dreckmann. (608-267-2626).
29. Sec. 28.185(10)- Every person who is required to submit a reuse and recycling plan pursuant to Sec. 28.185(7)(a)5 shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
30. Section 28.185 (9)(a)- A demolition or removal permit is valid for one (1) year from the date of the Plan Commission approval.
31. Provide a minimum of 22 bicycle parking spaces (1 per dwelling unit plus one visitor space per 10 units) and 2 for the retail space distributed across the site, both interior of the building and surface locations near entrances. Visitor stalls shall be surface stalls. Work with zoning staff to locate these facilities. Call out and dimension bike stalls. Bike stalls shall be (2) feet by (6) feet and a (5) foot clear access aisle. Provide details of bike rack to be installed. Final plan shall clearly denote bicycle parking in storage units. Provide details of bike racks in these units.
32. Usable open space shall be called out and shown on final plans. Sec. 28.076 (3) (c) provides that usable open space may take the form of at-grade open space, porches, balconies, roof decks, green roofs or other above-ground amenities. UMX requires 10 sq. ft. per bedroom, of the total amount 75% may be on roof decks and balconies and a minimum of 25% at ground level pursuant to sec. 28.140. Call out and dimension UOS on final plans. Although not required, for the patio to qualify it must be constructed of permeable pavers.
33. Pursuant to Section 28.142 (8): Provide screening along district boundaries. Screening shall be consist of a solid wall, solid fence, or hedge with year-around foliage, between six (6) and eight (8) feet in height. Provide details of screening.
34. Provide details of lot coverage as defined in Section 28.211.
35. Provide building elevations including a detailed cross section of floor to ceiling heights.
36. 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 of Traffic Engineering at 266-6527 if you have any questions regarding the following 6 items:

37. Loading zones in the public right of way are approved by the Pedestrian Bicycle and Motor-vehicle commission and the common council. The existing loading zone as shown on the submitted plans may be removed at a future date.
38. A condition of approval shall be that no residential parking permits shall be issued for 506 W Main St., this would be consistent with other projects in the area. In addition, the applicant shall inform all tenants of this facility requirement in their apartment leases. In addition, the applicant shall submit for 502 W Main St a copy of the lease noting the above condition.
39. 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.
40. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
41. 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.
42. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

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

43. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development in this subdivision. The developer must select a method for payment of park fees before signoff on the rezoning. This development is within the Vilas Brittingham park impact fee district (SI27). Please reference ID# 14126 when contacting Parks about this project.

Existing Properties

502 W. Main (2 SF/duplex units)

504 W. Main (single-family residence)

New Development:

Fees in lieu of dedication = (18 MF @ \$1,799) = \$ 32,382.00

Park development fees = (18 MF @ \$662.95) = \$ 11,933.10

Subtotal = \$ 44,315.10

Existing Development:

Fees in lieu of dedication = (3 SF @ \$2,827) = \$ 8,481.00

Park development fees = (3 SF @ \$1,031.27) = \$ 3,093.81

Subtotal = \$ 11,574.81

Total Fees= \$32,740.29

44. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Please submit an existing inventory of trees (location, species, & DBH) and a tree removal plan (in PDF format) to Dean Kahl – dkahl@cityofmadison.com or 266-4816. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
45. Existing street trees shall be protected. Please include the following note on the site plan: 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, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in section 107.13 of *City of Madison Standard Specifications for Public Works Construction* - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>

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

46. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.
47. Provide fire apparatus access as required by IFC 503 2012 edition, MGO 34.503, as follows: MGO 34.503/IFC 503 Appendix D105, Provide an aerial apparatus access fire land that is at least 26-feet wide, if any part of the building is over 30 feet in height. The near edge of the aerial fire lane shall be within 30 feet and not closer than 15 feet from the structure, and parallel to one entire side. The aerial fire lane shall cover not less than 25% of the building perimeter.
48. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Lt. Scott Bavery (608) 576-0600.

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

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

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

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

Sincerely,

Heather Stouder, AICP

Planner

cc: Janet Schmidt, City Engineering Division
Jeff Quamme, City Engineering Division
Pat Anderson, Asst. Zoning Administrator
Bill Sullivan, Fire Department
Eric Halvorson, Traffic Engineering
Kay Rutledge, Parks Division
Al Martin, Urban Design

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

Signature of Applicant

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 type="checkbox"/> | Other |