



Report to the Plan Commission

November 21, 2011

Legistar I.D. #24228

722 Williamson St. (306 S. Livingston St.)

PUD Rezoning

Report Prepared By:

Timothy M. Parks, Planner

Planning Division

Requested Action: Approval of a request to rezone a portion of 722 Williamson Street from C2 (General Commercial District) to Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow construction of a five-story mixed-use building containing 5,300 square-feet of first floor commercial space and 39 apartments.

[The project has been given the working address of 306 S. Livingston Street by staff to denote its location along the S. Livingston frontage of the site.]

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.

Summary Recommendation: The Planning Division recommends that the Plan Commission recommend **approval** to the Common Council of Zoning Map Amendment ID 3564 & 3565, rezoning 722 Williamson Street from C2 to PUD-GDP-SIP, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 7 of this report.

Background Information

Applicant & Property Owner: Marty Rifken, The Rifken Group, Ltd./ Williamson Associates, LP; 14 W. Mifflin Street #300; Madison.

Agent: J. Randy Bruce, Knothe & Bruce Architects, LLC; 7601 University Avenue, Suite 201; Middleton.

Proposal: The applicant proposes to construct a five-story mixed-use building containing 5,300 square-feet of first floor commercial space and 39 apartment units along the S. Livingston Street frontage of the subject site. Construction of the building will commence as soon as all regulatory approvals are granted, with completion anticipated by August 2012.

Parcel Location: The zoning map amendment proposes to rezone approximately 0.47 acres of a 2.0-acre parcel generally located on the north side of Williamson Street between S. Livingston and S. Blount streets; Aldermanic District 6 (Rummel); Third Lake Ridge Historic District; Madison Metropolitan School District.

Existing Conditions: The land on which the proposed building will be located is part of the surface parking lot used by tenants of the Olds Seed Building located on the Williamson Street frontage of the subject property. The entire 722 Williamson Street property is zoned C2 (General Commercial District).

Surrounding Land Use and Zoning:

North: Various properties owned and operated by Madison Gas & Electric, including the Blount Street power plant, all zoned M1 (Limited Manufacturing District); Capital City Path; Union Pacific Railroad;

South: El Dorado Grill, Ground Zero coffeehouse and the Wisconsin Council of the Blind and Visually Impaired located adjacent to the subject site, zoned C3 (Highway Commercial District); single- and two-family residences and Kerr-McGee Triangle Park located across Williamson Street, zoned C2 (General Commercial District);

West: The Harvester Building and a one-story multi-tenant commercial building, zoned C3;

East: The Livingston Condominiums & Williamson Place Apartments (including Alvarado Real Estate, Vivid Media, Lucent Room Studio on the first floor), zoned PUD-SIP.

Adopted Land Use Plans: The Comprehensive Plan identifies the northern half of the subject site adjacent to E. Wilson Street for Employment uses, with the southern half of the site adjacent to Williamson Street recommended for Community Mixed-Use development.

The East Rail Corridor Plan identifies the subject site for future commercial and industrial development in the East Wilson Street Employment District. The plan, which was adopted in 2003, states the south frontage of E. Wilson Street west of S. Paterson Street is less appropriate for residential development due to its proximity to the Madison Gas & Electric coal-fired electric generating plant and recommends that the three blocks between S. Blair and S. Paterson streets could be developed for non-residential uses either as separate sites or as part of projects that would also front on Williamson Street. The plan recommends high-intensity employment uses in buildings up to 5-7 stories in height in this district.

The subject site is also located within the boundaries of the Design Guidelines & Criteria for Preservation – Williamson Street 600-1100 Blocks Plan (2004). Specifically, the property is located within Zone IV on the height zone map for new construction, which specifies that new buildings in this zone generally be no more than 5 stories and 54 feet in height.

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 site will be zoned PUD-GDP-SIP. The project will be reviewed in the following sections.

Other Critical Zoning Items	
Yes:	Urban Design, Landmarks, Utility Easements, Barrier Free
No:	Floodplain, Wellhead Protection, Waterfront Development
<i>Prepared by: Pat Anderson, Asst. Zoning Administrator</i>	

Project Review

The applicant is requesting approval to rezone approximately 0.47-acres of a 2.0-acre parcel located on the north side of Williamson Street and west side of S. Livingston Street from C2 (General Commercial District) to PUD-GDP-SIP to allow construction of a five-story mixed-use building containing approximately 5,300 square feet of first floor commercial space and 39 apartment units. The address of the L-shaped property is 722 Williamson Street, which is also the building address of the four-story Olds Seed Building located on the western half of the site. The remainder of the subject site is used as

surface parking, including the area to be rezoned and developed with the proposed mixed-use building. The site is located in the Third Lake Ridge Local Historic District, which generally extends between S. Blair and S. Dickinson streets and Williamson Street and Lake Monona.

The subject site surrounds three commercial buildings located on the north side of Williamson Street west of S. Livingston Street, including the three-story former Madison Candy Company, the first floor of which is currently occupied by El Dorado Grill. That building, which is a locally designated landmark building, abuts a two-story commercial building housing Ground Zero Coffee on one side and a second two-story building on the east, which is occupied by the Wisconsin Council of the Blind and Visually Impaired. The three buildings share access and parking separate from the parking that serves the subject property. The northern edge of the subject site abuts the right of way of E. Wilson Street and the Capital City Path, with the Union Pacific Railroad right of way located north of the path.

Surrounding land uses include the three-story Harvester Building, which fronts onto S. Blount Street and abuts the northwestern corner of the subject site, and a tall, one-story multi-tenant building located at the corner of S. Blount and Williamson streets adjacent to the westerly wall of the Olds Seed Building. The Madison Gas & Electric Blount Street Station power plant is located directly north of the subject site, path, and railroad corridor. MG&E also occupies a number of other parcels located generally north of the subject site along E. Main Street, which are used for electrical distribution, service, warehousing and administrative offices. Properties located south of the site across Williamson Street are primarily developed with a series of single- and two-family homes and a small neighborhood park located at the corner of Williamson and Jenifer streets. The proposed mixed-use building will be located across S. Livingston Street from two mixed-use developments constructed in the last decade, including the four-story Livingston Condominiums located at the corner of Williamson Street, and the three-story Williamson Place Apartments located adjacent to the path. The latter faces S. Livingston Street and extends parallel to the path and railroad, with three commercial tenants located on the first floor.

The proposed mixed-use building will be constructed in the northeasternmost corner of the subject site within 12 feet of the property line adjacent to S. Livingston Street and 7 feet of the northern property line adjacent to the Capital City Path. The easterly, street-facing wall of the proposed building will extend 96 feet, 10 inches along S. Livingston Street, with a lobby for the 39 apartment units and a stair tower to be located at the southeastern corner. The 5,342 square feet of proposed first floor commercial space will occupy the remainder of the S. Livingston Street façade, with an entrance to the commercial space proposed approximately midway along the street frontage of that space.

Above the first floor, the 39 proposed dwelling units will be provided in 6 one-bedroom apartments, 2 two-bedroom apartments and 2 efficiencies to be located on the second, third and fourth floors of the building, and by 5 one-bedroom units, 2 two-bedroom apartments and 2 efficiencies on the fifth floor. A roof deck is proposed at the southeastern corner of the fifth floor, where the developer indicates the building has been stepped back to reduce its height from Williamson Street.

Five enclosed parking stalls are proposed at-grade behind the commercial space, which will be accessible from an entrance along the westerly, rear wall of the building. A ramp down to 23 enclosed parking stalls will also be provided along the rear wall of the first floor. A trash room and an enclosed bike parking room with 30 spaces will also be provided on the first floor. Additionally, the developer is proposing 7 on-street parking stalls, which are designed to be backed into similar to the on-street parking stalls located across S. Livingston Street from the site in front of the Williamson Place Apartments. These 7 on-street stalls will require the separate approval of the Board of Public Works

and Common Council prior to their construction and are not included in the parking count for the project.

The applicant indicates that the proposed building has been designed to complement the architecture of the commercial buildings located nearby, which includes century-old buildings located on the same block and newer buildings constructed within the last decade. The exterior of the building will include brick on most of the lower four floors of the building and two-toned corrugated metal panels on the fifth floor and in sections extending vertically down through the second through fourth floors. A recessed patio or balcony will be provided for each dwelling unit. The first floor commercial space will include storefront glass extending along most of the street- and path-facing walls, with an aluminum canopy proposed to project over the entrance into the commercial space from the S. Livingston Street sidewalk. Overall, the proposed building will stand approximately 60 feet in height above S. Livingston Street.

Analysis & Conclusion

The applicant is requesting approval of Planned Unit Development zoning to facilitate the construction of a five-story mixed-use building on a portion of a surface parking lot that serves a nearby commercial building.

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."

Furthermore, the Zoning Ordinance requires that specific criteria be met to determine if a 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." The criteria for approval of a planned unit development requires that the Plan Commission consider the character and intensity of the proposed development and its compatibility with the surrounding area as well as the preservation and maintenance of open space and the impacts on traffic, parking and demand for municipal services resulting from the project.

Overall, the Planning Division believes that the proposed rezoning of the property to the PUD district is generally consistent with most, but not all, of the plan recommendations applicable to the subject site.

The Comprehensive Plan recommends that the northern half of the 2.0-acre subject site adjacent to E. Wilson Street, including the portion of the site to be developed with the proposed mixed-use building, be developed with Employment uses. The southern half of the site adjacent to Williamson Street, including the Olds Seed Building and adjacent commercial buildings to its east, are recommended for Community Mixed-Use development. The Williamson Street corridor is also generally identified as a Potential Redevelopment and Infill Area (Map 2-5, Volume II), with redevelopment projects recommended to be compatible with the scale and character of adjacent neighborhoods and consistent with adopted neighborhood or special area plans.

The subject site is located within the boundaries of the 2003 East Rail Corridor Plan (ERC), which was adopted to provide land use and design recommendations for an area bounded by E. Washington

Avenue on the north, S. Blair Street on the west, the half-block on the south side of E. Wilson Street on the south, and the Yahara River on the east. The subject site is recommended in the ERC for future commercial and industrial development as part of the East Wilson Street Employment District, which makes specific recommendations for the three blockfaces on the south side of E. Wilson Street and the Capital City Path, which is located within the street right of way. Specifically, the plan recommends that the three blocks between S. Blair and S. Paterson streets be developed for non-residential uses either as separate sites or as part of projects that would also front on Williamson Street. The plan recommends high-intensity employment uses in buildings up to 5 stories in height, with 2 additional stories possible if certain criteria are met.

At the time that the ERC was developed and adopted, properties in the East Wilson Street Employment District were considered to be less appropriate for residential development due to their proximity to the MG&E Blount Street Station power plant. At that time, the plant, which is located north of the subject site across the path and railroad corridors, burned coal as its primary source of fuel, and it was felt that the addition of residential uses immediately downwind of the plant would not be the most appropriate use given the potential environmental and aesthetic impacts the plant could cause future residents. However, subsequent to the adoption of the ERC, MG&E committed in 2006 to convert the plant to burn natural gas as its primary fuel, with coal as a backup fuel. Staff from MG&E indicates that the conversion to less polluting natural gas will be completed by the end of 2011. In light of the conversion of the Blount Street Station away from coal, the Planning Division believes that it may be appropriate to introduce residential uses into this portion of the planning area on a limited basis, such as the proposed development's inclusion of 39 dwelling units in a mixed-use building. The zoning text for the project will also allow for a variety of employment uses to occupy the 5,342 square-foot space on the first floor, albeit not at the high intensity anticipated in the ERC.

The subject site is also located within the boundaries of the Design Guidelines & Criteria for Preservation – Williamson Street 600-1100 Blocks Plan (Williamson BUILD II), which was adopted in 2004 to provide urban design recommendations for a corridor extending from the south half-blockfaces of Williamson Street to the Capital City Path between S. Blair and S. Few streets. Specifically, the property is located within Zone IV on the height zone map for new construction, which specifies that new buildings in this zone generally be no more than 5 stories and 54 feet in height. Staff believes that the proposed building is largely consistent with the height recommendations included in the plan, though the building will be 6 feet taller than recommended.

Staff believes that the proposed mixed-use building will adhere to many of the other design recommendations included in Williamson BUILD II, which includes recommendations that new buildings be products of their time, with contemporary design inspired from the basic forms and details of their historic surroundings and reflective of the historic pattern of neighborhood development. The project also uses substantial amounts of storefront glass to create visual interest along the S. Livingston Street and Capital City Path facades of the first floor, incorporates a significant amount of brick along the exterior, and places access to the structured parking within the building along the rear wall, all as recommended in the plan.

Additionally, the developer has submitted a concept plan for the western three-quarters of the 700-block of Williamson Street that calls for additional infill development opportunities on property he owns as well as for the surface parking lot located between the Olds Seed Building and Ground Zero Coffee, which is partially in separate ownership. While not part of the proposed Planned Unit Development zoning, the concept plan sets forth a vision of increased density through the future construction of two additional mixed-use buildings, including one to replace the one-story commercial building at the corner of S. Blount and Williamson streets, and a second building to be located between the Olds Seed and

Ground Zero buildings. The concept plan suggests that the two buildings could house a mix of retail, office/ employment and residential uses and that the additional development and existing uses in the block would be supported by a future parking structure to replace the surface parking lot currently located on the subject site. The developer has indicated in discussions with Planning staff that the actual density of development and mix of uses will be dependent on market conditions and the feasibility of constructing the structured parking shown on the concept plan.

Staff believes that the various employment and mixed-use land use recommendations advocated for this block could be furthered through the future implementation of elements of the concept plan, though more information on the actual projects is needed to determine their consistency with other recommendations in the East Rail Corridor Plan and Williamson BUILD II Plan.

As noted earlier, the subject site is located in the Third Lake Ridge Historic District, which requires the Landmarks Commission to grant a Certificate of Appropriateness for any new or altered building prior to construction. On October 3, 2011, the Landmarks Commission granted a Certificate of Appropriateness for the new mixed-use building subject to the conditions outlined in the attached Landmarks minutes and staff report from Amy Scanlon, the City's Preservation Planner.

Also as noted earlier, the proposed building is adjacent to the former Madison Candy Company at 744 Williamson Street, which is designated as a local landmark. Section 28.04(3)(n) of the Zoning Code requires the Landmarks Commission to make an advisory recommendation to the Plan Commission or Urban Design Commission for any development adjoining a landmark or landmark site for which review by those commissions is required. The Landmarks Commission's recommendation is a finding whether the proposed development is "so large or visually intrusive as to adversely affect the historic character and integrity of the adjoining landmark." As part of its October 3 action on the proposed building, the Landmarks Commission determined that the project was not so large or visually intrusive as to adversely affect the historic character and integrity of the adjoining landmark Madison Candy Company building.

The Urban Design Commission reviewed the proposed Planned Unit Development on October 19, 2011 and recommended final approval (see attached report).

In closing, the Planning Division believes that the standards for approval for planned unit developments and zoning map amendments can be met with the applicant's proposal to construct a five-story mixed-use building on a portion of an existing surface parking lot on the west side of S. Livingston Street, just north of Williamson Street. Staff believes that the proposed rezoning is consistent with the goals, objective and policies of the Comprehensive Plan and is largely consistent with the various land use and design recommendations contained in the Comprehensive Plan, East Rail Corridor Plan, and Design Guidelines & Criteria for Preservation – Williamson Street 600-1100 Blocks Plan. Staff believes that the project represents an excellent example of urban infill development featuring a building that is well designed and relates well to its surroundings.

Staff Recommendations, Conditions of Approval & General Ordinance Requirements
Major/Non-Standard Conditions are shaded

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

The Planning Division recommends that the Plan Commission recommend **approval** to the Common Council of Zoning Map Amendment ID 3564 & 3565, rezoning 722 Williamson Street (306 S. Livingston

Street) from C2 (General Commercial District) to PUD-GDP-SIP, subject to input at the public hearing, the following Planning Division condition(s) and the conditions from reviewing agencies:

1. That the Planned Unit Development be revised per Planning Division approval prior to final approval for recording and the issuance of building permits as follows:
 - 1a. That a section be added to the zoning text acknowledging the presence of existing and future high levels of noise and vibration resulting from trains operating on the nearby railroad right of way, including from possible future commuter rail services. This provision shall also be added to the leases for all proposed units, with a copy of the lease to be provided for the file.
 - 1b. The zoning text shall be revised to specify that outdoor eating areas for restaurant, brewpub, or tavern uses in the first floor commercial space may be approved as minor alterations to the approved specific implementation plan when approved by the Planning Division Director following a recommendation by the District Alderperson. Any future outdoor eating areas shall be subject to the Plan Commission's continuing jurisdiction, as provided for in Section 28.12(11)h.4.
 - 1c. That the final list of permitted uses for the project be approved by Planning staff.
 - 1d. That the building elevations be revised to verify the overall height of the building and the floor to floor heights for the five stories.

The following conditions have been submitted by reviewing agencies:

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

2. Site plans submitted for review indicate an address of 300 S. Livingston Street. This is not a valid address. The first/lowest available valid address within this particular "300 block" shall be 302.
3. Coordinate final CAD file submittals and implementation of an addressing plan for the site with the Engineering Division Mapping Section. Submit a PDF of all floorplans to Lori Zenchenko (Lzenchenko@cityofmadison.com) so that a final addressing plan can be developed for this site. 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.
4. This proposed site plan requires a Certified Survey Map (CSM) application to be made with the Planning Division, conditionally approved, signed off by appropriate commenting City agencies, and the CSM recorded with the Dane County Register of Deeds prior to issuance of any building permits.
5. The proposed site plan requires a shared private ingress and egress and maintenance document to be recorded for this development site.
6. The applicant shall provide a permanent limited easement (PLE) for the public sidewalk that is proposed to be relocated to accommodate the angled street parking. The PLE may be dedicated with the CSM or by separate recorded document. The applicant shall work with the City Engineering and Traffic Engineering divisions to determine the configuration and feasibility of the parking and sidewalk and determine the easement requirements. If the proposed angle parking cannot meet the design requirements the applicant shall revise the plans to show sidewalk in the existing location within the right of way.

7. The applicant is aware of the potential closing of S. Livingston Street if it is ordered by the Office of the Commissioner of Rails. If S. Livingston Street is closed, it will likely require reconfiguration of the street and may impact or eliminate the proposed angled parking.
8. The existing storm sewer box that is being connected to currently has insufficient capacity during large storm events and can be expected to surcharge. The storm system on the site shall be revised such that when the public system reaches or exceeds capacity, the surcharge/ overflow shall not enter the underground parking.
9. 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.
10. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
11. 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.
12. 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.
13. 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.
14. The applicant shall provide the City Engineer with the proposed earth 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.
15. All work in the public right of way shall be performed by a City-licensed contractor.
16. All damage to the pavement on S. Livingston Street 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. If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan, and recorded at the Dane County Register of Deeds.
20. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to control 40% TSS (20 micron particle) off of new paved surfaces, 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 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).
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 area adjacent to this proposed development has a known flooding risk. All entrances shall be 2 feet above the adjacent sidewalk elevation or 1 foot above the 100-year regional flood elevation (whichever is greater). This includes garage entrances
24. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
25. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering Division signoff.

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

26. A condition of approval shall be that no residential parking permits shall be issued for this project, as would be consistent with other projects in the area. In addition, the applicant shall inform all tenants of this facility of the restriction in their apartment leases and record in zoning text. The applicant shall note in the Zoning Text that no residential parking permits shall be issued. In addition, the applicant shall submit a copy of the lease for the project noting the above condition in the lease when submitting plans for City approval.
27. The approval of this PUD (GDP-SIP) 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 Common Council for the restoration of the public right-of-way including any changes requested by the developer.
28. The applicant shall not improve the bike path area in railroad corridor unless City Office of Real Estate Services approves an encroachment prior to plans being submitted for approval. The applicant should contact that office with any questions.
29. 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.
30. Regarding the proposed parking on S. Livingston Street, the applicant will need to meet further with the Traffic Engineer and City Engineer to see if this is feasible, and the applicant is able to provide the necessary space and easement or land dedication to support it. The final design is to be determined by the City and approved by the Board of Public Works. Parking stalls in the City right of way shall match the dimensions of existing parking stalls located across the street.
31. If S. Livingston Street is closed per the request of the Wisconsin Southern Railroad in a matter before the Office of Commissioner of Railroads, then a redesign of S. Livingston will need to occur to provide a street closing cul-de-sac and a normal, straight sidewalk on the subject property.
32. When the applicant submits final plans of one contiguous plan 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, 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 feet overhang, and a scaled drawing at 1" = 20'.
33. 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.
34. 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)

35. The developer shall pay \$84,545.37 in park impact fees for the 39 multi-family units proposed. Fees in lieu of dedication = (39 units@\$1,554)=\$60,606.00; Park development fees = (39 units@\$613.83)=\$23,939.37, for a total park impact fee of \$84,545.37. The developer must select a method for payment of park fees before signoff on the rezoning. This development is within the Tenney, Law and James Madison Parks park impact fee district (SI26).

Fire Department (Contact Bill Sullivan, 261-9658)

36. Verify the need for elevator emergency power for the proposed building.

37. Provide fire apparatus access as required by IFC 503 2009 edition, MGO 34.503, as follows:
Ensure related land division does not remove fire access to existing buildings.

Water Utility (Contact Dennis Cawley, 261-9243)

38. Note: 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.