



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

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February 6, 2013

Brett Miller
Fiduciary Real Estate Development, Inc.
789 N. Water Street, Suite 200
Milwaukee, Wisconsin 53202

RE: Approval of a request to rezone property generally addressed as 5302 Tancho Drive from Planned Unit Development-General Development Plan (PUD(PD)-GDP) to Amended Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD(PD)-GDP-SIP) to allow construction of an apartment complex containing 263 dwelling units.

Dear Mr. Miller;

At its January 22, 2013 meeting, the Common Council **conditionally approved** your application to rezone property located at 5302 Tancho Drive to Amended PUD(PD)-GDP-SIP subject to the following conditions of approval, which shall be satisfied prior to final approval and recording of the planned unit development and the issuance of permits for new construction:

Please contact Janet Dailey of the City Engineering Division at (608) 261-9688 if you have questions regarding the following twenty-three (23) items:

1. Identify any utilities that are proposed to be publicly owned and maintained
2. Storm sewer plan appears to have typos related to elevations. Plan shows storm sewer with greater than 100-foot depths.
3. Proposed sanitary sewer lateral connection into Tancho Drive will be subject to the City's Pavement Patching Policy.
4. Reconcile plans to identify the proper existing and approval and creation of private street names with Engineering-Mapping. Private Chaucer Drive shown on site plans shall be revised to private Pendleton Drive from private Brookside Drive north to public Tancho Drive. Final site plans shall clearly depict the proper names as well as public and private street designations.
5. Coordinate a proposed private street name for new segment from Pendleton Drive to Brookside Drive. Contact Lori Zenchenko with Engineering-Mapping at lzenchenko@cityofmadison.com or 266-5952.
6. In accordance with 10.34 MGO, Street Numbers – Submit a PDF of each floorplan to Lori Zenchenko (lzenchenko@cityofmadison.com) at Engineering-Mapping 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.
7. Final building addresses shall be determined when final private street name is submitted and approved.
8. Provide City agencies copies of recorded joint ingress-egress documents within the development.

9. Show the area defined for future SIP on all plan sheets so it is clear what is included with this approval and what is not.
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 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.
12. All work in the public right of way shall be performed by a City-licensed contractor.
13. All damage to the pavement on Tancho Drive, American Family Drive and American Parkway adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
14. 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.
15. 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.
16. Effective January 1, 2010, the Department of Commerce's authority to permit commercial sites, with over 1 acre of disturbance, for stormwater management and erosion control has been transferred to the Department of Natural Resources (WDNR). The WDNR does not have an authorized local program transferring this authority to the City of Madison. The City has been required by the WDNR to continue to review projects for compliance with NR-216 and NR-151 but a separate permit submittal is now required to the WDNR for this work as well. The City cannot issue its permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. As this site is greater than 1 acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the Wisconsin Department of Natural Resources, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement.
17. This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Building Inspection Division may require individual control plans and measures for each building.
18. 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-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.
19. 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.

20. 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.
21. 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).
22. The applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.
23. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.

Please contact Eric Halvorson of the Traffic Engineering Division at (608) 266-6527 if you have questions about the following three (3) items:

24. All private drives, where they meet the public right of way, shall conform to City of Madison standard 3.09 Madison Standard Commercial Drive Detail.
25. "Stop" signs shall be installed at a height of 7 feet at all driveway approaches behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
26. 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, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2-foot overhang, and a scaled drawing at 1"=20'.

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

27. Provide fire apparatus access as required by IFC 503 2009 edition, MGO 34.503, as follows:
 - a.) The site plans shall clearly identify the location of all fire lanes.
 - b.) IFC 503 Appendix D105, Provide an aerial apparatus access fire lane that is at least 26 feet wide, with the near edge of the fire lane within 30 feet and not closer than 15 feet from the structure, and parallel to one entire side of the structure, if any part of the building is over 30 feet in height.
 - a.) Provide a fire lane that extends to within 150 feet of all exterior portions of the structure, or it can be extended to within 250 feet if the building is fully sprinklered.

Please contact Dennis Cawley of the Madison Water Utility at (608) 261-9243 if you have any questions regarding the following two (2) items:

28. The looped water main shall be a public water main and installed by a standard City of Madison Contract for Subdivision Improvements. A minimum 20-foot wide public water main easement shall be dedicated over this water main.
29. 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 (608) 266-4714 if you have any questions regarding the following item:

30. The applicant shall verify with the Parks Division whether additional park impact fees will be due for this project prior to submitting plans for final staff approval and recording.

Please contact my office at (608) 261-9632 if you have questions about the following five (5) items:

31. That the overall planned unit development receive final approval from the Urban Design Commission prior to final approval of the PUD for recording and the issuance of building permits.
32. That the zoning text be revised per Planning Division approval prior to recording and the issuance of building permits as follows:
 - a.) Revise the Statement of Purpose to correct the final approved number of buildings and units;
 - b.) Revise the Permitted Uses section to state "Multi-family residences as shown on the approved plans" and remove the incorrect references to the number of buildings and units; revise the same section to list the accessory open space and tenant amenities and parking;
 - c.) Remove the Conditional Uses section;
 - d.) Revise the Floor Area Ratio and Building Height sections to state: "As shown on the approved plans;"
 - e.) Revise the Yard section to state: "As shown on the approved plans. In general..." before the existing text;
 - f.) Revise the Signage section to state: "Signage for the building shall be limited to the maximum permitted in the SR-V2 zoning district, and as approved by the Urban Design Commission or its secretary, and the Zoning Administrator".
33. That bike parking be provided at a ratio of one regulation stall per dwelling unit unless reduced by the Zoning Administrator as allowed under the Zoning Code. Bike parking stalls shall be 2' wide, 6' deep and include 5' access aisles and 5' of vertical clearance. Moped/ scooter parking stalls shall be a minimum of 3' wide, 6' deep and include 5' access aisles and 5' of vertical clearance. The location of all bike and moped parking shall be shown on the final approved plans.
34. That the pool and clubhouse receive final design approval by the Urban Design Commission prior to the issuance of building permits, and that the approved plans be recorded as a minor alteration to this PUD-SIP.
35. That building permits for the clubhouse and pool be issued no later than the time that building permits are issued for the fourth apartment building in the complex (first building in the second phase). This requirement shall be included as a note in the final zoning text and on the final plans.

The applicant is also required to satisfy the conditions of approval of the Urban Design Commission prior to the final staff approval of the project and the issuance of permits. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions.

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.

After the planned unit development has been revised per the above conditions, please file ten (10) sets of complete, fully dimensioned, and to-scale plans, 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.

Upon receipt of the aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds Office. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process.

If this plan is not recorded within one year of the date of approval by the Common Council, the approval shall be null and void. No construction or alteration of the property included in this application shall be permitted until a Specific Implementation Plan (SIP) has been approved and recorded.

Within thirty-six (36) months of Common Council approval of the general development plan, the basic right of use for the areas, when in conformity with the approved specific implementation plan, shall lapse and be null and void unless 1) the project, as approved, is commenced by the issuance of a building permit, or 2) if an application for an extension is filed at least thirty (30) days prior to the expiration of the thirty-six (36) month period and the Plan Commission, after a public hearing pursuant to Sec. 28.12 (10)(e), determines that no changes in the surrounding area or neighborhood since approval of the general development plan render the project incompatible with current conditions and grants an extension of up to twenty-four (24) months in which to obtain a building permit. In no case shall an extension allow a building permit to be issued more than sixty (60) months after approval of the general development plan by the Common Council. If a new building permit is required pursuant to sec. 29.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain general development plan approval and specific implementation plan 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
Pat Anderson, Assistant Zoning Administrator
Bill Sullivan, Madison Fire Department
Kay Rutledge, Parks Division
Dennis Cawley, Madison Water Utility
Pat Anderson, Asst. Zoning Administrator

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 checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Rec. Coord. (R & R Plan)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: