



Department of Planning & Community & Economic Development  
**Planning Division**

Website: [www.cityofmadison.com](http://www.cityofmadison.com)

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September 21, 2011

John Bieno  
TJK Design Build  
634 W. Main Street  
Madison, Wisconsin 53703

RE: Approval of a request to rezone 677 S. Segoe Road from C2 (General Commercial District) to Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow demolition of an office building and construction of 60 multi-family residential units in two buildings. (TJS Ventures, LLC)

Dear Mr. Bieno;

At its September 6, 2011 meeting, the Common Council **conditionally approved** your application to rezone property located at 677 S. Segoe Road from C2 to PUD-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 demolition or new construction:

**Please contact Janet Dailey, City Engineering Division, at 261-9688 if you have questions regarding the following eighteen (18) items:**

1. A new drive apron and sidewalk directly adjacent to the drive apron shall be constructed of 7-inch thick concrete.
2. The prior 677 S. Segoe Road address will be inactivated and no longer used for this site due to this proposed redevelopment plan. The base address for the west building is now 5314 Odana Road and the base address for the east building is now 5302 Odana Road.
3. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
4. 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.
5. All work in the public right of way shall be performed by a City-licensed contractor.
6. All damage to the pavement on S. Segoe Road and Odana Road adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
7. 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.

8. 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.
9. Effective January 1, 2010, the Department of Commerce's authority to permit commercial sites, with over one acre of disturbance for stormwater management and erosion control has been transferred to the Wisconsin Department of Natural Resources (WDNR). The WDNR does not have an authorized local program transferring this authority to the City of Madison. The City of Madison 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 from the WDNR for this work as well.

As this site is greater than one acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the DNR, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Please contact Eric Rortvedt of the WDNR at 273-5612 to discuss this requirement.

10. Prior to 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 40% TSS (20 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.
11. 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).
12. 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).
13. 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.
14. 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.

15. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
16. Prior to approval of the issuance of a demolition permit, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged, the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1) \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2) \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.
17. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior City Engineering signoff, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
18. 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 Bryan Walker, Traffic Engineering Division, at 267-8754 if you have questions about the following eight (8) items:**

19. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
20. The applicant shall modify the driveway approach according to the design criteria for a "Class 3" driveway in accordance to MGO Section 10.08(4).
21. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2-foot overhang, and a scaled drawing at 1" = 20'.
22. "Stop" signs shall be installed at a height of 7 feet at all driveway approaches. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
23. The intersection shall be so designed so as not to violate the City's sight-triangle preservation requirement, which states that on a corner lot no structure, screening, or embankment of any kind shall be erected, placed, maintained or grown between the heights of 30 inches and 10 feet above curb level or its equivalent within the triangle space formed by the two intersecting street lines or their projections and a line joining points on such street lines located a minimum of 25 feet from the street intersection in order to provide adequate vehicular vision clearance.
24. The applicant shall design the surface or underground parking areas for stalls and backing up according to Figures II of the ordinance using the 9-foot or wider stall for the commercial/retail area. The "One Size Fits All" stall shall be used for the residential parking area only, which is a stall 8'-9" in width by 17'-0" in length with a 23'-0" backup. Aisles, ramps, columns, offices or work areas are to be excluded from these rectangular areas, when designing underground parking areas.

25. The applicant 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.
26. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

**Please contact Bill Sullivan, Madison Fire Department, at 261-9658 if you have any questions regarding the following two (2) items:**

27. Ensure fire separation distances and/or fire ratings are addressed for each building as they relate to property lines, real and imaginary.
28. Provide fire apparatus access as required by IFC 503 2009 edition, MGO 34.503.

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

29. 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, Parks Division, at 266-4714 if you have any questions regarding the following item:**

30. The developer shall pay \$130,069.80 in park development fees for the 60 multi-family units proposed. Fees in lieu of dedication=(60 units@\$1,554)=\$93,240.00; Park development fees=(60 units@ \$613.83)=\$36,829.80, for a total park impact fee of \$130,069.80. The developer must select a method for payment of park fees before signoff on the rezoning. This development is within the Garver Park impact fee district (SI29).

**Please contact Tim Sobota, Metro Transit, at 261-4289 if you have any questions regarding the following item:**

31. The applicant proposes to construct a concrete passenger boarding pad on the north side of Odana Road, east of the driveway apron. The actual loading zone for bus stop #2946 is at the intersection corner. The applicant shall revise plans to correct the location of the concrete passenger boarding pad. The applicant shall include the location of these passenger amenities on the final documents filed with their permit application so that Metro Transit may review and approve the design.

**Please contact my office at 261-9632 if you have questions about the following three (3) items:**

32. That the specific implementation plan be revised per Planning Division approval prior to final approval of the PUD for recording and the issuance of demolition or building permits as follows:
  - a.) dimension the setbacks of the loft level from the parapet of the building on Sheet A-1.3;
  - b.) dimension the setback of the southwesterly corner of the western building from Odana Road on Sheet C-1.1;
  - c.) label the building sections directionally on Sheets A-3.1 and A-3.2;
  - d.) provide an elevation of the two buildings from the courtyard;

- e.) provide a section and elevation of the proposed cedar fence, which shall be a minimum of 6 feet in height along the eastern property line;
  - f.) provide four-sided elevations of the loft level;
  - g.) revise Sheet C-1.2 to note the gross floor area of the building and the number of parking stalls (for historical purposes).
33. That the applicant revise the zoning text per Planning Division approval prior to final approval of the PUD for recording and the issuance of demolition or building permits as follows:
- a.) the list of permitted uses shall be revised to specify:
    - multi-family residential uses as shown on the approved plans;
    - professional offices in the home;
    - home occupations, as permitted under Section 28.04(26) of the Zoning Ordinance, Home Occupations, except that the requirement related to employees outside the immediate family shall not require a conditional use approval for one employee and the restriction to 25% of floor area of one story in 28.04(26)(b)8 shall not apply to this project;
    - accessory uses directly associated with those permitted uses;
  - b.) the list of permitted uses shall be revised to state that the home occupation and professional office live-work units shall be limited only to first floor units (the units on the second and third floors would be residential only);
  - c.) the zoning text shall be amended to add the following definition of professional office in a home: "A professional office in a home shall mean the office or studio in the residence of a person engaged in a recognized professional specialty and including the fields of religion, architecture, engineering, law, medicine, personal health services, and practice and instruction in the liberal or fine arts, provided that such use shall comply with all the conditions of a home occupation in MGO Section 28.04(26) except as otherwise noted herein. Mechanical equipment customarily appurtenant to said profession may be used provided no external manifestations thereof are apparent at the property line."
  - d.) signage shall be limited to the maximum permitted in the R4 zoning district, as approved by the Urban Design Commission and Zoning Administrator;
  - e.) the "Snow Removal" and "Trash Removal" sections shall be removed and placed in a revised letter of intent for the project;
  - f.) re-title the "Parking Management" section as "Accessory Off-Street Parking & Loading";
  - g.) a family definition shall be included as follows: "Family Definition: The family definition of this PUD shall coincide with the definition in Chapter 28 of the Madison General Ordinances for the R4 zoning district (or in the future, the SR-V1 zoning district)."
34. That the project receive final approval from the Urban Design Commission prior to final approval of the PUD for recording and the issuance of demolition or building permits. [Note: This condition was satisfied on September 7, 2011.]

**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.**

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.

After the planned unit development has been revised per the above conditions, please file **eleven (11) sets** of complete, fully dimensioned, and to-scale plans 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
- Bryan Walker, Traffic Engineering Division
- Bill Sullivan, Madison Fire Department
- Kay Rutledge, Parks Division
- Dennis Cawley, Madison Water Utility
- Tim Sobota, Metro Transit
- 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 checked="" type="checkbox"/>	Rec. Coord. (R&R Plan)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Other: Metro Transit