

February 24, 2005

Greg Rosenberg
Madison Area CLT Corporation
131 W. Wilson Street, Suite 400
Madison, Wisconsin 53703

RE: Rezoning Approximately 31 acres generally located at 502 and 602 Troy Drive from C (Conservancy) to Planned Unit Development, General Development Plan/ Specific Implementation Plan (PUD-GDP-SIP) to allow construction of a 30 townhomes with open space and community gardens.

Dear Mr. Rosenberg:

At its February 22, 2005 meeting, the Common Council **conditionally approved** your application for rezoning property located at 502 and 602 Troy Drive from Conservancy to PUD-GDP-SIP. The following conditions of approval shall be satisfied prior to final approval and recording:

Please contact Gary Dallmann, City Engineering, at (608) 266-4751 if you have questions regarding the following fourteen (14) items:

1. The construction of this PUD/SIP will require constructions of sidewalk 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.
2. Stormwater management calculations shall be submitted to City Engineering showing compliance with MGO Chapter 37 with regard to infiltration, detention, oil and grease and sediment control.
3. If the developer would like sanitary mains to be public sewer maintained by the City, the developer will be required to enter into a City-Developer agreement.
4. Prior to approval, owner shall dedicate an easement for the existing public sanitary sewer. Said easement shall be 30-foot wide, centered over the existing main. Proposed plan shall provide for maintenance access for the existing sewer. Owner shall also dedicate an additional easement for the future relocation of said sewer.
5. The Applicant shall construct sidewalk to a plan approved by the City Engineer along Troy Drive adjacent to 502 and 506 Troy Drive.

6. All work in the public right-of-way shall be performed by a City licensed contractor.
7. 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.
8. This site is greater than one (1) acre and the applicant is required by State Statute to obtain a Notice of Intent Permit (NOI) from the Wisconsin Department of Natural Resources. Please contact Jim Bertolacini of the WDNR at 275-3201 to discuss this requirement.
9. This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Building Inspection Unit may require individual control plans and measures for each building.
10. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Please contact Greg Fries at 267-1199 to discuss this requirement.
11. The Applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko). The digital copies shall be drawn to scale and represent final construction, including: building footprints, internal walkway areas, internal site parking areas, and other miscellaneous impervious areas.
12. NR-151 of the Wisconsin Administrative Code will be effective on October 1, 2004. Future phases of this project shall comply with NR 151 in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the three (3) options provided below:

Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicated a maximum of 1% of the site area to active infiltration practices.

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

13. 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.
14. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.

Please contact John Leach, Traffic Engineering, at (608) 267-8755 if you have questions about the following thirteen (13) items:

15. The approval of this facility does not include the approval of the as proposed improvements in the Troy Drive right-of-way. The applicant should remove all proposed improvements in the right-of-way on the site plan sheets or note: "All right-of-way improvements require separate approval by the Board of Public Works and Common Council for the public right-of-way changes to be requested by the developer."
16. 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, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
17. The applicant shall provide scaled drawing at 1" = 40' or larger on one contiguous plan sheet showing all the facility's access, existing and proposed buildings, layouts of parking lots, loading areas, trees, signs, vehicle movements, ingress/egress easements and approaches.
18. When site plans are submitted for approval, the developer shall show property lines and record joint driveway ingress/egress and easements onto the face of the CSM to be submitted as noted in 60 days.
19. A "Stop" sign shall be installed at a height of seven (7) feet at the Troy Drive driveway approach. 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.
20. The applicant shall modify the driveway approach according to the design criteria for a "Class III" driveway in accordance to Madison General Ordinance Section 10.08(4). Also Traffic Engineering staff may require that the developer pay a deposit for installation of a conduit(s) as determined by the Traffic Engineer per driveway when they submit plans for approval.
21. The Class "III," driveways, curb adjacent to driveways, and sidewalk reconstruction within the public right-of-way shall be completed in accordance with City of Madison Standard Specifications for Public Works Construction by a contractor currently licensed by the City.
22. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
23. The applicant shall show the dimensions for proposed condo and community garden parking stalls' items A, B, C, D, E, and F, for ninety-degree angle parking with wide stalls and backing up, according to Figures II "Medium and Large Vehicles" parking design standards in Section 10.08(6)(b) 2. (If two (2) feet of overhang are used for a vehicle, it shall be shown on the plan.)
24. The applicant shall submit with the parking lot plans a letter of operation of the gate to community farm area; a detail drawing of the area, hours the gate is open and party responsible of the operation.
25. The applicant shall note types of driveway and parking surfaces in accordance with City of Madison standards and specifications. All off-street facilities shall be paved in accordance to City of Madison General Ordinance Section 10.08(6)(a)10.

26. The parking facility shall be modified to provide for adequate internal circulation for vehicles. This can be accommodated by eliminating a parking stall in the condo and community garden parking lot dead ends. The eliminated stall shall be modified to provide a turn around area ten (10) to twelve (12) feet in width and signed "No Parking Anytime."
27. 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 Kathy Voeck, the Acting Zoning Administrator, at (608) 266-4551 if you have questions regarding the following six items:

28. Section 28.04(24) provides that Inclusionary Zoning requirements shall be complied with as part of the approval process. Submit to Zoning, a copy of the approved plan for recording prior to zoning sign off of the PUD.
29. Provide 36 bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The bike racks shall be securely anchored to the ground or building to prevent the racks from moving. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area.
30. Parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.) Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch or other non-vegetative cover. All plant materials in islands shall be protected from vehicles by concrete curbs.
31. Lighting plans are required for this project. Provide a plan showing at least .25 footcandle on any surface of the lot and an average of .75 footcandles.
32. The zoning text addresses signage "as shown on the approved plans". There is no signage shown on the plans. Signage, as approved by the UDC, shall be shown on the final plans. Sign permits will be required.
33. Meet all applicable State accessible requirements, including but not limited to:
 - a. Provide a minimum of two accessible stalls striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent. The stalls shall be as near the accessible entrance to each building as possible.
 - b. Show signage at the head of the stalls.
 - c. Show the accessible path from the stalls to the buildings.

Please contact Hickory Hurie or Barb Constans, Community Development Block Grant Office, at (608) 267-0740 if you have questions about the following item:

34. That the applicant provide the City with an option to purchase each of the affordable units. This requirement may be waived by the Director of the Department of Planning and Development if an amendment to the Zoning Ordinance is approved by the Common Council that recognizes agreements such as the one between the City and the applicant as being in keeping with the spirit and intent of the ordinance.

Please contact Tim Sobota, Madison Metro, at (608) 261-4289 if you have questions regarding the following five items:

35. The applicant shall install the concrete passenger boarding pad at the existing Metro bus stop on the north side of Troy Drive, east of the Lehrdahl Road intersection (#5536), as indicated on the plans submitted. The concrete pad shall occupy the full distance of the terrace, measure a minimum of 6 feet in width parallel to the street, and lie flush between the sidewalk and the top of curb.
36. The developer shall install and maintain a bench or other seating amenity on the property side of the sidewalk, adjacent the concrete passenger boarding pad.
37. The developer shall include this passenger amenity on the final documents filed with their permit application so that Metro Transit may review and approve the design.
38. Metro Transit operates bus service along Troy Drive seven days a week. Metro bus stop #5536 is on the north side of Troy Drive, approximately 80 feet east of Lehrdahl Road.
39. The applicant may select the seating amenity designs given their preference of materials, color, etc. to match building or landscape elements. The applicant may contact Metro Transit to discuss any questions regarding size or exact placement requirements. Metro Transit will review and sign final documents submitted for this project.

Please contact Alan Larson, Madison Water Utility, at 266-4653 if you have any questions regarding the following two items:

40. All public water mains and service laterals shall be installed by private contract.
41. All public water mains and laterals installed on private property shall be installed in minimum 20-foot wide public water main easements. MWU will not need to sign off on the CSM but requests an approved copy for their files.

Please contact John Lippitt, Madison Fire Department, at 261-9658 if you have questions about the following item:

42. The City of Madison Fire Department does not object to the conditions discussed with Fire Marshal Ed Ruckriegel.

Please contact Si Widstrand, Parks Division, at (608) 266-4711 if you have questions about the following two items:

43. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right of way. Approval for such activities shall be obtained from the City Forester, who can be reached at (608) 266-4816.
44. The deed restricted open space meets the parkland dedication requirement. Park Development Fee equals \$15,033.30, based on a fee of \$501.11 per dwelling unit. Additional recreational improvements as part of the new development will be credited to meet this requirement.

Please contact my office at (608) 261-9632 if you have questions about the following three Planning Unit conditions on this project:

45. That the developer submit a Certified Survey Map for approval dividing the 31 acres as proposed by the PUD-GDP-SIP prior to recording of the PUD. The CSM shall include a cross-access easement over the entire paved portion of the driveway.
46. That the developer submit minor alterations to the PUD-GDP-SIP to the Director of the Planning Unit for approval prior to the construction of any community garden buildings in excess of 200 square feet of floor area.
47. That the PUD-GDP-SIP be revised per Planning Unit approval as follows:
 - a.) to remove the "approximately" from the number of dwelling units (30) proposed in zoning text;
 - b.) include site signage and building materials as approved by the Urban Design Commission upon granting final approval to the project.

After the plans have been changed as per the above conditions, please file **eleven (11) sets** of the revised, complete site plans, building elevations, floor 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 signature of 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 (30) months of Common Council approval of the General Development Plan or within eighteen (18) months of the recording of the Specific Implementation Plan, whichever is less, the basis right of use for the areas, when in conformity with the approved Specific Implementation Plan, shall lapse and be null and void unless the project, as approved, is commenced by the issuance of a building permit. If a new building permit is required pursuant to Sec. 28.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain Specific Implementation Plan approval.

If you have any questions regarding recording this plan or obtaining permits, please call Kathy Voeck, Acting Zoning Administrator, at (608) 266-4551. If I may be of any further assistance, please do not hesitate to contact me at (608) 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Kathy Voeck, Acting Zoning Administrator
Gary Dallman, City Engineering
John Leach, Traffic Engineering
John Lippitt, Madison Fire Department
Tim Sobota, Madison Metro
Si Widstrand, Parks Division
Alan Larson, Madison Water Utility

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Unit	<input type="checkbox"/>	Madison Water Utility
<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 Coordinator
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Other: Madison Metro
<input checked="" type="checkbox"/>	CDBG Office	<input type="checkbox"/>	Other: