



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
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January 7, 2010

Randy Bruce
Knothe & Bruce Architects
7601 University Avenue Suite 201
Middleton, WI 53562

RE: Approval to rezone 1012 Fish Hatchery Road from C3 (Highway Commercial District) to PUD-GDP (Planned Unit Development-General Development Plan) to allow future construction of a 62-unit apartment building.

Dear Mr. Bruce:

At its January 5, 2010 meeting, the Common Council approved your client's application to rezone 1012 Fish Hatchery Road from C3 (Highway Commercial District) to PUD-GDP (Planned Unit Development-General Development Plan) to allow future construction of a 62-unit apartment building. The following conditions of approval shall be satisfied prior to final approval and recording of the General Development Plan:

Please contact Janet Dailey, City Engineering Division, at 261-9688 if you have questions regarding the following fifteen (15) items:

1. Informational: The approved situs address for the apartment building as proposed by this concept plan submittal would be 1033 High Street.
2. Any damage to pavement on High Street or Fish Hatchery Road will require restoration in accordance with the City's Patching Criteria.
3. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
4. Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation. The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
5. The applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
6. All work in the public right-of-way shall be performed by a City licensed contractor.
7. The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.

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. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website – as required by Chapter 37 of the Madison General Ordinances.
10. The Applicant shall submit, prior to plan sign-off, 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: a) building footprints, b) internal walkway areas, c) internal site parking areas, d) other miscellaneous impervious areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.), e) right-of-way lines (public and private), f) all underlying lot lines or parcel lines if unplatted, g) lot numbers or the words “unplatted”, h) lot/plat dimensions, i) street names, and all other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred addressing@cityofmadison.com. Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file.

11. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set. PDF submittals shall contain the following information: a) building footprints, b) internal walkway areas, c) internal site parking areas, d) lot lines and right-of-way lines, e) street names, f) stormwater management facilities, g) detail drawings associated with stormwater management facilities (including if applicable planting plans).
12. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
13. Prior to approval of the conditional use application, 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
14. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
15. 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 John Leach, Traffic Engineering Division, at 267-8755 if you have questions about the following seven (7) items.

16. A condition of approval shall be that no residential parking permits shall be issued for 1012 Fish Hatchery Road, this would be consistent with other projects in the area. In addition, the applicant shall inform all tenants of this facility of the requirement 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 for 1012 Fish Hatchery Road a copy of the lease noting the above condition in the lease when submitting plans for City approval. Please contact William Knobloch or Bill Putman, Parking Utility at 266-4761 if you have questions regarding the above item.
17. The applicant shall execute and return the attached declaration of conditions and covenants for streetlights & traffic signals prior to sign off.
18. 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 two (2) feet overhang, and a scaled drawing at 1" = 20'.
19. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
20. 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 the 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.
21. 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.
22. 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 Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following eight (8) items. Please note Condition 28 was modified by the Common Council, following the recommendation of the Plan Commission.

23. Meet applicable State building codes and building setback requirements.
24. Parking requirements for persons with disabilities must comply with City of Madison General Ordinances Section 28.11 (3) 6.(m) which includes all applicable State accessible requirements, including but not limited to:
 - a. Provide a minimum of three accessible stall striped per State requirements, (1 on surface lot and 2 in the underground lot). The stall shall be a van accessible stall 8' wide with an 8' striped out area adjacent with no physical barriers within the striped out area.
 - b. Show signage at the head of the stall.
 - c. Show the accessible path from the stall to the elevator.

25. Parking & Loading shall comply with City of Madison General Ordinances Section 28.11 (4). Provide one 10' x 35' loading area with 14' vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space. This location shall be approved by Traffic Engineering.
26. Lighting is required and shall be in accordance with City of Madison General Ordinances Section 10.085. Provide a plan showing at least .5 foot candle on any surface on any lot and an average of .75 footcandles. The max. light trespass shall be 0.5 fc at 10 ft from the adjacent lot line. (See City of Madison lighting ordinance).
27. Bike parking shall comply with City of Madison General Ordinances Section 28.11.
28. The applicant shall work with staff to provide adequate bicycle and scooter parking.

Please note, this condition replaces the original staff-recommended condition shown below in italics. The Plan Commission revised the original condition to not specifically require 62 bike parking stalls:

Provide 62 bike parking stalls and adequate scooter parking in a safe and convenient location on an impervious surface with a 5 foot access aisle to this area and to be shown on the final plan. It appears that the bike stalls along Fish Hatchery Road are in the road right of way, show bike stalls clearly out of right of way and details of the bike racks on the SIP site plans. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.

29. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.
30. Provide useable open space calculations with details as well as building elevations of all 4 sides to be on site plans submitted for SIP approval.

Please contact Scott Strassburg, Madison Fire Department, at 261-9843 to if you have questions about the following item:

31. This fire access site plan appears to meet code as submitted.

Please contact Tom Maglio, Madison Parks Division, at 266-6518 if you have questions about the following two (2) items:

32. Final park dedication and development fees will be determined when the SIP is submitted and due prior to sign-off of that SIP. Since this is a GDP application and the SIP has not been filed, park impact fees are difficult to determine at this time. 62 residential units are proposed as part of this GDP.
33. Approval of 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.

Please contact Dennis Cawley, Madison Water Utility, at 261-9632 to if you have questions about the following item:

34. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. This property is not in a Wellhead Protection District. The Water Utility will not need to sign off on the final plans, and not need a copy of the approved 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 building permits. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions.

Please contact my office at 267-1150 if you have questions about the following five (5) items. Please note that condition 39 was approved by the Common Council based on a recommendation by the Plan Commission.

35. Approval of an amendment to the GDP shall be required should the project proceed as anything other than a restricted income, senior housing project consistent with the approved plans.
36. That the plans be revised to show bike parking, for the approval of Planning Division staff.
37. That the applicant revise the conceptual landscape plan to provide further plantings (or other treatments) to partially screen the exposed foundation walls in areas on South Brooks and the northern corner of Fish Hatchery Road where the setback is six feet from the sidewalk. The design and materials used to clad these exposures shall be addressed in the SIP.
38. That the applicant provides a rear elevation drawing. This shall be approved by both the Urban Design Commission and by Planning Division staff prior to final approval and sign-off of this GDP.
39. That for the purposes of evaluating this proposal for consistency with adopted plans, this site shall be considered part of the Bancroft Dairy Site (property between Park Street and Fish Hatchery Road) and is not part of the adjoining residential neighborhood. Approval of this building does not establish a precedent allowing the encroachment of larger buildings into the adjacent residential neighborhood.

Please now follow the procedures listed below:

After the plans have been changed as per the above conditions, please file **ten (10) 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-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 267-1150.

Sincerely,

Kevin Firchow, AICP
Planner

cc: Janet Dailey, City Engineering Division
John Leach, Traffic Engineering Division
Scott Strassburg, Madison Fire Department
Pat Anderson, Asst. Zoning Administrator

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Firchow)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: