



Department of Planning & Community & Economic Development

Planning Division

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June 11, 2015

REVISED June 15, 2015

Ryan McMurtrie
United Financial Group, Inc
660 W. Ridgeview Drive
Appleton, WI 54911

RE: Approval of a conditional use for a residential building complex to allow construction of 145 apartments in 4 buildings on property generally addressed as 9603 Paragon Street

Dear Mr. McMurtrie:

At its June 8, 2015 meeting, the Plan Commission found the standards met and **approved** your conditional use request for 9603 Paragon Street. The conditions of approval in the following sections shall be satisfied prior to final sign-off and issuance of permits for the project.

Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following 18 items:

1. The existing public stormwater drainage easement per the plat of Paragon Place shall be released by separate document and a new Public Stormwater Drainage Easement created by a separate document prepared by City Office of Real Estate Services (ORES). The applicant shall prepare metes and bounds legal descriptions and scale map exhibits (as coordinated with City of Madison Stormwater Engineering Staff) for the portions of easements to be released and/or created. Provide the maps and descriptions to Engineering Land Records Coordinator Jeff Quamme for review. Upon approval of the exhibits and payment of the required \$500 administration fee (check payable to City of Madison Treasurer) to cover staff time and recording costs, Engineering will create the necessary ORES project. ORES staff will then administer the document(s) and record with the Dane County Register of Deeds. The required document(s) shall be recorded prior to issuance of a building permit.
2. The address of building 1 (NE building) is 9501 Paragon Street. The address of the clubhouse is 9603 Paragon Street. The address of building 3 (NW building) is 9605 Paragon Street. The address of building 2 (SE building) is 9502 Wilrich Street. The address of building 4 (SW building) is 9604 Wilrich Street.
3. A pumping plan for the drainage system serving the underground parking shall be submitted to the City Engineering Division for review and approval. This plan shall be stamped by a Professional Engineer or a Master Plumber.

4. The applicant shall verify with City plans for the proposed Bear Claw Way and Wilrich Street construction project (City Project # 53W1683, MUNIS 10604) that the proposed utility improvements agree with City plans (both size & inverts of City utilities).
5. The construction of Chaska Drive and Paragon Street will be required as a condition of approval for this development. If the applicant wishes to phase the site implementation, the existing Lot 1 of the Paragon Plat will need to be subdivided. Construction of the public street and utilities will be done under a private developer's agreement.
6. The developer shall enter into a City/Developer agreement for the installation of public improvements required to serve this development. The developer shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The developer shall meet with the City Engineer to schedule preparation of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer.
7. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
8. In accordance with 10.34 MGO – Street Numbers: Submit a PDF of each floor plan to Lori Zenchenko in Engineering Mapping (Lzenchenko@cityofmadison.com) so that an 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.
9. This development is subject to impact fees for the Elderberry Neighborhood Sanitary Sewer Impact Fee district and the Lower Badger Mill Creek Impact Fee District. All impact fees are due and payable at the time building permits are issued.
10. A City-licensed contractor shall perform all work in the public right of way.
11. All damage to the pavement on Bear Claw Way and Wilrich Street adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
12. This project falls in the Rock River TMDL Zone and is subject to increased erosion control enforcement as authorized by Resolution 14-00043 passed by the Common Council on January 21, 2014. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the Wisconsin Department Natural Resources (WDNR).
13. 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 5.0-tons per acre per year.
14. This site appears to disturb over 1 acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151; however a separate permit

submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt of the WDNR at 273-5612 to discuss this requirement.

15. 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-, and 100-year storm events, matching post development rates to predevelopment rates; reduce TSS by 80% (control the 5 micron particle) off of newly developed areas compared to no controls; provide infiltration in accordance with Chapter 37 of MGO; 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 MGO.
16. 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.
17. 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).
18. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Schmidt (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering signoff.

Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following 10 items:

19. Sidewalk ramps are not aligned properly; as a result persons with disabilities will have difficulty navigating this site. The applicant shall revise the plan aligning the sidewalk ramps to appropriately guide the pedestrian to the receiving ramp.
20. All sidewalks adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang.
21. "Stop" signs shall be installed at a height of 7 feet at all class III driveway approaches, including existing driveways, 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.
22. With the future proposed parking areas near Paragon Place and Wilrich Street, include future sidewalk connections to the respective right of ways.
23. Bicycle parking shall have a 2-foot buffer between the 2-foot by 6-foot bicycle parking foot print and the 5-foot walkway. This is to allow better pedestrian access around the bicycle parking.

24. The applicant shall submit one contiguous plan for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
25. The developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City-owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
26. The City Traffic Engineer may require public signing and marking related to the development; the developer shall be financially responsible for such signing and marking.
27. All parking facility design shall conform to the standards in MGO Section 10.08(6).
28. Stalls 30 and 31 on sheet 3, due to the location of the stairs, have insufficient backup. The applicant shall modify the stairs to provide the appropriate back up as defined in MGO Section 10.08, or sign and note on the plan that the stalls are "small-car only."

Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at 266-4429 if you have any questions regarding the following five (5) items:

29. The proposed buildings shall comply with the Building Form standards for large multi-family dwellings in Section 28.172(7) of the Zoning Code.
30. Provide a minimum bike parking spaces for each building distributed as both Short Term and Long Term bicycle parking, as required per MGO Sections 28.141(4) and 28.141(11). Provide a detail of the bike rack design including any wall mounts. NOTE: Current code requires a maximum of 25% of the bike parking spaces may be structured bike parking (wall-mount or stacked). Identify and dimension required stalls on the final plan. NOTE: A bike-parking stall is 2 feet by 6 feet with a 5-foot access area. Provide a detail of the bike rack to be installed on the final plans.
31. Meet all supplemental regulations for a Residential Building Complex in MGO Section 28.151.
32. Provide height details for all buildings pursuant to MGO Section 28.134.
33. Exterior lighting provided shall be in accordance with MGO Section 10.085. Provide an exterior lighting plan and fixture cut sheets with the final plan submittal.

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

34. Provide fire apparatus access as required by IFC 503 2012 edition, MGO Section 34.503, as follows:
 - a.) The site plans shall clearly identify the location of all fire lanes.

- b.) MGO 34.503/IFC 503 Appendix D105: Provide an aerial apparatus access fire lane that is at least 26 feet wide, if any part of the building is over 30 feet in height. The near edge of the aerial fire lane shall be within 30 feet and not closer than 15 feet from the structure, and parallel to one entire side. The aerial fire lane shall cover not less than 25% of the building perimeter.
- c.) 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.
- d.) Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the final site plan submittal; the form is available at www.madisonfire.org.

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

- 34. AWWA C-900 PVC pipe is not an approved material for public water main in the City of Madison. The developer shall enter into a standard City of Madison Contract for Subdivision Improvements for the installation of the proposed public water main between Paragon Street and Wilrich Street.
- 35. All operating private wells shall be identified and permitted and all unused private wells shall be abandoned by the Water Utility in accordance with MGO Section 13.21.

Please contact Kay Rutledge of the Parks Division at 266-4714 if you have any questions regarding the following two (2) items:

- 36. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development in this development. The developer must select a method for payment of park fees before signoff on the conditional use. This development is within the Garner park impact fee district (SI29). Please reference ID# 13117.1 when contacting Parks Division staff about this project.
- 37. Approval of plans for this 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.

The applicant is also required to satisfy the Urban Design Commission conditions of approval 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.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

Please now follow the procedures listed below for obtaining permits for your project:

- 1. After the plans have 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 28.206 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 Zoning staff to the City department staff listed above for their final approval.

2. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval.
3. 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.
4. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the Plan Commission and the conditional use standards. This approval shall become null and void one (1) year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within 6 months of the issuance of said building permit. Where the plans have not been altered from the Plan Commission's approval, and the conditional use has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to 24 months from the expiration date. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks
 Planner

cc: Janet Schmidt, City Engineering Division
 Eric Halvorson, Traffic Engineering Division
 Jenny Kirchgatter, Asst. Zoning Admin.
 Dennis Cawley, Madison Water Utility
 Bill Sullivan, Madison Fire Department

I hereby acknowledge that I understand and will comply with the above conditions of approval for this project.

Signature of Applicant

*Signature of Property Owner
 (If Not Applicant)*

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 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: