



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

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

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August 4, 2010

Gary Brown  
University of Wisconsin–Madison  
University Facility Planning & Management  
614 Walnut Street  
Madison, Wisconsin 53726

RE: Approval of a request to rezone 117 N. Charter Street from Planned Unit Development- Specific Implementation Plan (PUD-SIP) to Amended PUD-SIP to allow construction of a natural gas-fired boiler addition at the University of Wisconsin's Charter Street Heating Plant.

Dear Mr. Brown;

At its August 3, 2010 meeting, the Common Council **conditionally approved** your request to amend the PUD-SIP for 117 N. Charter Street to allow construction of a natural gas-fired boiler addition for the Charter Street Heating Plant. The following conditions of approval shall be satisfied prior to final approval and recording of the planned unit development and the issuance of any permits related to the new construction:

**Please contact Janet Dailey, City Engineering Division, at 261-9688 if you have questions regarding the following twenty-six (26) items:**

1. The applicant shall work closely with the City Engineering and Traffic Engineering divisions to determine the timing of the public infrastructure improvements that are necessary as part of this SIP and future SIPs or approvals. A Development Agreement or Permit shall be required to complete this work, as determined by the City Engineer and City Traffic Engineer. The applicant shall supply detailed right of way construction plans for review and approval. Deposits for City time and expenses shall be required as part of the Development Agreement or Permit.
2. The State and University shall enter into an Intergovernmental Agreement with the City prior to the approval of the SIP and prior to commencement of any work in the right of way.
3. The Applicant shall provide a detailed traffic control plan for the street work. Construction site fencing shall not be located such that it requires closure of a bike lane on Dayton Street. Bike lane closures may be necessary as part of specific street work, in coordination with the construction traffic control for that work. Bike lane closures for the duration of construction of the building shall not be permitted.
4. In general, it is necessary to develop a plan for the phasing of street construction work, including underground utility work, track removal and final paving of the streets to minimize the number of times any street is closed to traffic or traffic is otherwise disrupted. The street work should be done in logical segments of limited time duration. This may not correspond to the phasing of individual SIPs or on-site building work.

5. All work in the right of way shall comply with the City of Madison Standard Specifications for Public Works Construction.
6. Provide a typical section for the street work on W. Dayton Street and N. Mills Street. Ultimately the full width of Dayton Street and Mills Street should be resurfaced adjacent to this work, but the resurfacing may be deferred until all street openings are completed.
7. With removal of the railroad crossing, it may be necessary to set new curb grades to assure a continuous minimum grade of 0.5% on the new flow lines on both sides of W. Dayton Street. This may require additional curb removal and some modification of the street profile through the crossing area. Provide detailed plans for the proposed street centerline and curb grades.
8. Sheet C001 refers to Sheet C330 for the ramp detail, but the detail is actually on Sheet C350. The Type-1 ramp shown is not desirable, and possible replacement with Type-2 ramps should be investigated. The applicant shall work with the City Engineering and Traffic Engineering divisions to determine the ramp layout.
9. The University and the City have both expressed interest in modifying N. Mills Street to become a "bike boulevard" or preferential bike street. The concept for this cross section should be discussed by UW, and the City Engineering and Traffic Engineering divisions.
10. A maintenance agreement shall be required for the installation of pavers and special terrace treatment adjacent to this project.
11. If the applicant is proposing to use an earth retention system in the City's right of way, a copy of the plan, stamped by a licensed professional engineer shall be provided for review and approval by the City Engineering Division. Installation of the system shall be completed by a contractor that is prequalified by the City.
12. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
13. The approval of this planned unit development does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
14. 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 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.
15. All work in the public right of way shall be performed by a City-licensed contractor.
16. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl, of the City Parks Department – [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816.

17. 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.
18. 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.
19. 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.

20. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to control 40% TSS (20 micron particle) off of new paved surfaces, 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.
21. 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).
22. 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).
23. 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.
24. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.

25. 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.
26. 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 eleven (11) items:**

27. If necessary, the applicant may be required to reconstruct and widen both W. Dayton Street and N. Mills Street, including the intersection of Dayton and Mills, to address the new traffic impacts to these streets by the proposed new facilities. This may include new railroad signals, potential new traffic signals, wider bike lanes and space for parking if so required on N. Mills Street. The plans and financing by UW will need to be reviewed and approved by the City Traffic Engineer.
28. If necessary, the applicant may be required to reconstruct and widen both N. Charter Street and Spring Street, including the intersection of Charter and Spring, to address the new traffic impacts to these streets by the proposed new facilities. This may include new railroad signals, potential new traffic signals, wider bike lanes and space for parking if so required on these two streets. The plans and financing by UW will need to be reviewed and approved by the City Traffic Engineer.
29. In future phases of this project, the applicant shall show and demonstrate the rail operations and rail car storage, including a schedule of planned operations, intended to minimize traffic impacts and peak hour traffic in the area (a.m. and p.m.). There is a major concern that this proposal will block and congest Dayton Street.
30. 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'.
31. "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.
32. 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.

33. This is a State of Wisconsin project. As such, the applicant could note on the plan sheet or submit a letter to the Traffic Engineering Division that states: "The parking stall design is according to State of Wisconsin parking design standards and approved by the State of Wisconsin."
34. The University 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.
35. The developer shall enter into a developer's agreement with the City of Madison for the relocation and reconstruction of the bike path in future phases of the project.
36. The developer shall note on the plans that all changes in the City of Madison right of way will need to be approved by the Board of Public Works.
37. 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 four (4) items:**

38. Provide bicycle parking a ratio of 1 stall per 2 employees. Bike parking shall comply with MGO Section 28.11. Provide 3 bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. Note: A bike-parking stall is 2 feet by 6 feet with a 5-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.
39. Off-street parking requirement shall comply with MGO Sections 28.04 (12) and 28.11: 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. All plant materials in islands shall be protected from vehicles by concrete curbs.
40. If outdoor lighting is provided, it must comply with MGO Section 10.085 outdoor lighting standards.
41. Parking requirements for persons with disabilities must comply with MGO Section 28.11 (3)6.(m) which includes all applicable State accessible requirements. The applicant shall provide the required number of accessible stalls and accessible stall signage per the final approval of the Zoning Administrator.

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

42. The Madison Fire Department (MFD) does not object to this building addition to the UW Charter Street Heating Plant provided the building complies with Madison General Ordinance Chapter 34 and the Charter Street Heating Plant Risk Management Plan, as agreed upon by the UW and MFD.

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

43. A portion of this property is in a Wellhead Protection District. The applicant shall verify that no prohibited uses occur in that portion of the property.

**Please contact my office at 261-9632 if you have questions about the following two (2) items:**

44. That the University of Wisconsin–Madison enter into a formal agreement with the City in a form approved by the City Attorney’s Office, which addresses the off-site improvements to the City’s property and infrastructure required for implementation of the Charter Street Heating Plant project, of which the proposed Planned Unit Development zoning of 115 N. Mills Street and 117 N. Charter Street is an integral part. The University shall enter into this agreement prior to Planning Division approval of the planned unit development for recording and the commencement of any site work construction related to the expansion of the Charter Street plant.

45. Note: This Amended PUD-SIP approval does not include the new biomass boiler or bag house on the 117 N. Charter Street property, improvements on the 115 N. Mills Street property, or the electric substation north of the CSHP on the north side of W. Dayton Street. The University is required to submit an amended specific implementation plan for each phase of the project for approval by the Common Council following a recommendation by the Urban Design Commission and Plan Commission. Each amended SIP shall be reviewed against the standards for Planned Unit Developments in Section 28.07 of the Zoning Ordinance.

**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.**

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.

After the plans have been changed as per the above conditions, please file **ten (10) sets** of the final planned unit 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 261-9632.

Sincerely,

Timothy M. Parks  
Planner

cc: Janet Dailey, City Engineering Division  
Bryan Walker, Traffic Engineering Division  
Bill Sullivan, Madison Fire Department  
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"/>            | Water Utility            |
| <input checked="" type="checkbox"/>           | Fire Department          | <input type="checkbox"/>            | Other:                   |