



Department of Planning & Community & Economic Development

## Planning Division

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September 3, 2014

Michael Matty  
Renaissance Property Group  
2132 Fordem Avenue  
Madison, Wisconsin 53704

RE: Approval of a request to rezone 740 Jenifer Street from TR-V1 (Traditional Residential–Varied 1 District) to PD (Planned Development District) and approval of a General Development Plan and Specific Implementation Plan to allow construction of a 12-unit apartment building on Williamson Street and renovation of the existing single-family residence on Jenifer Street; and approval of a Certified Survey Map (CSM) creating 2 lots for the residential buildings.

Dear Mr. Matty;

At its September 2, 2014 meeting, the Common Council **conditionally approved** your application to rezone property located at 740 Jenifer Street from TR-V1 to PD (GDP-SIP) and a related Certified Survey Map (CSM) to create 2 lots, all subject to the following conditions of approval, which shall be satisfied prior to final approval and recording of the specific implementation plan and CSM, and the issuance of building permits for the existing and proposed buildings:

**Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following thirty-six (36) items, noting the modification to the sidewalk easement in conditions 6 and 31:**

***Conditions for the Planned Development:***

1. The base address of the proposed apartment building is 739 Williamson Street.
2. The pending CSM application and any conditions of approval thereof shall be completed and the CSM recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.
3. Remove the raised planter shown to encroach into the public right of way of Williamson Street.
4. Each building shall have a separate sanitary lateral. Verify and document the location of existing active lateral serving the existing house is served off of Jenifer Street.

5. Detail how the apartment building site plan shall accommodate the runoff from the existing house.
6. Provide a 2-foot wide public sidewalk easement along Williamson Street to allow for wider terraces and construct new sidewalk along the site in the new location.
7. Provide a detailed sidewalk plan for review and approval by the City Engineer. A Permit to Excavate in the Right of Way shall be required for the sidewalk installation along with a deposit to guarantee installation of the public improvements. This shall be done in lieu of a Developer's Agreement.
8. Provide a proposed site grading and utility plan with the final site plan approval. More comments may be provided from Engineering based on the additional information.
9. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat and include a full and complete legal description of the site or property being subjected to this application.
10. The site plan shall include all lot/ ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
11. In accordance with 10.34 MGO, Street Numbers, submit a PDF of each floorplan to Lori Zenchenko ([lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com)) at Engineering-Mapping so that a preliminary 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.
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 applicant shall replace all sidewalk and curb and gutter that abuts the property that 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.
14. The applicant shall provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
15. All work in the public right of way shall be performed by a City-licensed contractor.
16. All damage to the pavement on Williamson Street and Jenifer Street adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
17. The site plans shall be revised to show the location of all rain gutter down spout discharges.
18. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of 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. 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 MGO.
20. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right of way. It may be necessary to provide information off the site to fully meet this requirement.
21. 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).
22. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
23. All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc. shall be shown on the plan.
24. 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.
25. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior City Engineering Division 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 2 working days prior to requesting City Engineering sign-off.

***Conditions for the Certified Survey Map (CSM):***

26. Place a note on the CSM stating proposed Lot 1 acknowledges and accepts stormwater runoff from proposed Lot 2.
27. Each lot shall have a separate sanitary sewer lateral (City records indicate that they do have separate laterals. The applicant shall verify prior to final approval.
28. Provide the diameters of the found monuments on the map as indicated by the legend.
29. This CSM is not tied to a quarter line of the quarter section in which it lies as required by Sec. 236.20(3) of the Wisconsin Statutes. A tie shall be provided to a quarter line in which this CSM lies. This will also require a revision to the legal description under the Surveyor's Certificate.

30. Denote the portion of the house to be demolished on the CSM. Also place a note on the garage that it is to be demolished.
31. Provide a 2-foot wide public sidewalk easement along Williamson Street to allow for wider terraces and construct new sidewalk along the site in the new location.
32. Provide a detailed sidewalk plan for review and approval by the City Engineer. A Permit to Excavate in the Right of Way shall be required for the sidewalk installation along with a deposit to guarantee installation of the public improvements. This shall be done in lieu of a Developer's Agreement.
33. The Public Sidewalk Easement to be dedicated to the City of Madison ("City") on the face of this CSM is subject to the following conditions:
  - a.) The property owner reserves the right to use and occupy the Public Sidewalk Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sidewalk improvements.
  - b.) No above-ground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
  - c.) Plantings and landscaping within the Public Sidewalk Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
  - d.) The property owner shall not change the grade of the Public Sidewalk Easement Area(s) without the prior written approval of the City's Engineering Division.
  - e.) The Public Sidewalk Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
34. A minimum of 2 working days prior to requesting City Engineering Division signoff on the CSM, the applicant shall contact Janet Schmidt (261-9688) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).
35. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The developer's surveyor and/or applicant must submit copies of required tie sheets or condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering Division. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The applicant shall identify monument types on all PLS corners included on the plat or CSM. Note: Land tie to two PLS corners required.
36. In accordance with Section s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone 1997Coordinates on all PLS corners on the plat in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. The City has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the City Engineering Division website for current tie sheets and control data ([http://gis.ci.madison.wi.us/Madison\\_PLSS/PLSS\\_TieSheets.html](http://gis.ci.madison.wi.us/Madison_PLSS/PLSS_TieSheets.html)). If a surveyor

encounters an area without a published WCCS Dane Zone 1997 value, contact the City Engineering Division for this information.

**Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following seven (7) items:**

37. Parking located within the building is not dimensioned in the applicant's submittal. As such, Traffic Engineering is unable to properly review parking layouts at this time. The applicant shall submit a properly dimensioned plan that meets requirements of MGO Section 10.08. The applicant shall anticipate that major redesign of the building footprint may be necessary to meet compliance with the City of Madison ordinances listed above.
38. Each parking stall presents unique access requirements resulting in cumbersome turning movements and a high potential for property/vehicular damage. The applicant shall revise the parking geometrics and structure layout to meet requirements of MGO Section 10.08.
39. The applicant does not provide sufficient off-street parking to accommodate the parking needs of the residential units proposed. Residents of this development shall not be eligible for participation in the Residential Permit Parking Program. The landlord shall inform potential tenants of this restriction prior to their signing of a lease. The applicant shall note in the zoning text that no residential parking permits shall be issued. In addition, the applicant shall submit a copy of the lease for the apartments noting the above restriction when submitting plans for final City approval.
40. When the applicant submits plans for approval, the applicant shall show the following on one contiguous plan: existing items in the terrace (e.g., signs and street light poles), type of surfaces, percent of slope, existing and proposed property lines, addresses, all easements, all pavement markings, building placement, adjacent driveway approaches to lots on either side and across the street, signage, semitrailer movements and vehicle routes, dimensions of radii, aisles, driveways, parking stall dimensions including the 2 feet overhang on a scaled drawing at 1" = 20'. Contact the Traffic Engineering Division if you have questions.
41. 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.
42. 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.
43. All parking facility design shall conform to the standards in MGO Section 10.08(6).

**Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following seven (7) items:**

44. Provide a detail of how the 20% required open space in Section 28.098 of the Zoning Code is being provided for this development or specifically request a waiver to this requirement from the Plan Commission.

45. Prior to recording of the CSM in TR-V1 zoning, the average front yard setback will need to be determined for Lot 2 pursuant to MGO Section 28.031 in order to establish a approved parking stall (8 x18 feet) subject to Section 28.141(8)(c)1. Provide final details of driveway design and location subject to Section 28.141(9). [Note: The CSM will be recorded in PD zoning.]
46. The rear wall of the residence to remain shall conform to the minimum rear yard setback of 14.73 feet for Lot 2, as dimensioned on the final CSM prior to recording in the existing TR-V1 zoning. [Note: The CSM will be recorded in PD zoning.]
47. Provide a minimum of 13 bike parking spaces for the apartment building (1 per unit plus minimum of 1 visitor stall) distributed as both *Short Term* and *Long Term* bicycle parking, as required per Section 28.141(3) and 28.141(11) of the Zoning Code. Provide a detail of the bike rack design.
48. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e). Final plans shall show the required accessible stalls, including van accessible stalls.
49. 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.
50. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Section 31, Sign Code prior to sign installations.

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

51. Proposed lot 1 will require a new water service lateral connected to a public water main. All operating private wells shall be identified and permitted by the Madison Water Utility and all unused private wells shall be abandoned in accordance with MGO Sec. 13.21.

**Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following four (4) items:**

52. While the project may technically comply with an allowance in IBC 1021 to allow only a single exit from the proposed third residential floor due to the exterior sloping grade; in reality, occupants will be required to transverse 4 stories of stairs to exit the building. The Madison Fire Department does not support this project with the proposed single exit stair.
53. Current floor plans do not clearly identify adequate space for mechanical equipment. Ensure provisions are made to accommodate the fire sprinkler and fire alarm equipment and all required clearances.
54. In order to count Williamson Street as the aerial access for the project, the overhead utility lines will need to be relocated.
55. The Madison Fire Department does not object to the proposed CSM provided that it complies with all applicable fire codes and ordinances.

**Please contact Kay Rutledge of the Parks Division at 266-4714 if you have any questions regarding the following three (3) items:**

56. 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. The developer must select a method for payment of park fees before signoff on the development. This development is within the Tenney/Law/James Madison park impact fee district (SI26). Please reference ID# 14137 when contacting Parks Division staff about this project.
57. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Please submit an existing inventory of trees (location, species, & DBH) and a tree removal plan (in PDF format) to Dean Kahl – [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
58. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in Section 107.13 of the City of Madison Standard Specifications for Public Works Construction.

**Please contact Jenny Frese of the Office of Real Estate Services at 267-8719 if you have any questions regarding the following four (4) items:**

59. Prior to requesting final sign-off, executed signature block certifications shall be included for all parties of interest, pursuant to Wis. Stats. 236.21(2)(a). The title of each certificate shall be consistent with the ownership interest reported in the most recent title report.
60. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to final CSM sign-off.
61. Under 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes and special assessments that are accrued or delinquent for the subject property prior to CSM recording. As of August 12, 2014, the 2013 real estate taxes are paid for the subject property and there are no special assessments reported.
62. Prior to final CSM sign-off, please verify with Janet Schmidt of the City Engineering Division (261-9688) or Sharon Pounders at the Water Utility (266-4641) that stormwater management fees are paid in full.

**Please contact my office at 261-9632 if you have any questions about the following four (4) items, including the two (2) conditions added by the Plan Commission on August 25, 2014:**

63. The development plans shall be revised for final Planning Division approval prior to recording and the issuance of building permits as follows:
  - a.) Provide a detailed plan of how the 20% required open space in Section 28.098 of the Zoning Code is being provided for this development, including all applicable yard spaces and all porches and balconies;
  - b.) Provide complete site, grading and landscaping plans that include dimensions for all yards/setbacks for both buildings from existing and proposed lot lines;
  - c.) Provide interior dimensions for the residential lobby, all parking spaces and the access aisle for the first floor garage.
64. The zoning text shall be revised for final Planning Division approval prior to recording and the issuance of building permits to remove references to an architectural review committee in the "Alterations" section.
65. That the applicant prepare a maintenance plan for the living wall on the northerly, front facade of the new building on Williamson Street.
66. That the applicant provide a guarantee that the residence at 740 Jenifer Street will be renovated as part of this project.

**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.**

**Prior to final recording of the Planned Development and Certified Survey Map and issuance of building permits, the applicant is required to comply with the Landmarks Commission approval of this project. Please contact Amy Scanlon, Landmarks Commission Secretary, at 266-6552 if you have any questions about that approval.**

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

***To finalize the PD zoning approval:***

After the planned development has been revised per the above conditions, please file **eleven (11) 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 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. 28.181(5), 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.

***To finalize the CSM approval:***

**The CSM shall not be signed by the Planning Division/ Secretary of the Plan Commission to allow its recording until the final PD zoning materials for the subject property have received final approval by City agencies and have been submitted to the Zoning Administrator for recording as outlined above.**

As soon as the comments and conditions have been satisfied as verified with a completed affidavit form (attached), the original along with the revised Certified Survey Map, with all signatures and approvals from the reviewing agencies, shall be brought to this office for final signoff. You or your client may then record the certified survey at the Dane County Register of Deeds. For information on recording procedures and fees, contact the Register of Deeds at 266-4141.

Prior to City Engineering final sign-off by the main office of the CSM, the final CSM shall be submitted to the Engineering Division Surveyor/ Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division signoff. E-mail submittal of the final CSM in PDF form is preferred. Transmit to [jqumme@cityofmadison.com](mailto:jrqumme@cityofmadison.com).

The owner shall furnish to the Office of Real Estate Services and the survey firm preparing the CSM an updated title report covering the period between the date of the initial title report and the date when final signoff is requested. The surveyor shall update the CSM with the most recent information reported in the title update.

Upon acceptance and recording of the Certified Survey Map by the Dane County Register of Deeds, please transfer the recorded volume, document number, and page numbers to the copies and forward a copy to this office for our records. The original survey map with the recording information is permanently kept on file in the Dane County Register of Deeds Office. A copy of the recorded document can be obtained from the Register of Deeds Office, Room 110, City-County Building or the Real Estate Office in the Madison Department of Planning and Development.

Any appeal from this action, including the conditions of approval, must be filed with the Circuit Court within 30 days from the date of this letter. **The approval of this CSM shall be null and void if not recorded in twelve (12) months from the date of the approving resolution or this letter, whichever is later.**

If you have any questions regarding recording the Planned Development or obtaining building permits, please call Matt Tucker, Zoning Administrator, at 266-4551. If you have questions about recording the CSM or 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 Schmidt, City Engineering Division  
Eric Halvorson, Traffic Engineering Division  
Amy Scanlon, Preservation Planner  
Dennis Cawley, Madison Water Utility  
Matt Tucker, Zoning Administrator  
Kay Rutledge, Parks Division  
Bill Sullivan, Madison Fire Department  
Jennifer Frese, Office of Real Estate Services  
Dan Everson, Dane County Land Records and Regulations

For Official Use Only, Re: Final PD 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"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Other: Landmarks Comm.