



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985
TDD 608 266-4747
FAX 608 266-8739
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April 18, 2012

Lance T. McGrath
LT McGrath, LLC
3849 Caribou Road
Verona, Wisconsin 53593

RE: Approval of a request to rezone a portion of 636 W. Wilson Street from R4 (General Residence District) and M1 (Limited Manufacturing District) to Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow construction of a 60-unit apartment building.

Dear Mr. McGrath;

At its April 17, 2012 meeting, the Common Council **conditionally approved** your application to rezone 636 W. Wilson Street from R4 and M1 to PUD-GDP-SIP, subject to the following conditions of approval, which shall be satisfied prior to final approval and recording of the planned unit development and the issuance of permits for new construction:

Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following twenty-four (24) items:

1. In accordance with 10.34 MGO—Street Numbers—Submit a PDF of each floor plan to Engineering Mapping Lori Zenchenko (LZenchenko@cityofmadison.com) 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.
2. The property owner has indicated they would like to change the situs address from 636 to 640 W. Wilson St. for this property. If the project moves forward and the owner still desires to change the address for this site, please coordinate this address change with Lori Zenchenko, Engineering Mapping staff (LZenchenko@cityofmadison.com or 266-5952).
3. Developer to dedicate right-of-way as determined by the City Engineer for installation of the cul-de-sac.
4. The proposed street improvements shall be coordinated with the City Engineer such that the public sewer can be replaced in conjunction with the street improvement.
5. Prior to approval, provide projected sewer needs for this development to the City Engineer for review.

6. The City may elect to reconstruct portions of Wilson Street in conjunction with this project. The Developer shall coordinate the improvements required for this project with the City's proposed reconstruction project.
7. Any non-standard improvements in the right of way will require a maintenance or encroachment agreement.
8. The construction of this building will require removal and replacement of sidewalk, curb and gutter 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.
9. The approval of this PUD 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.
10. The applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
11. 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.
12. The Applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
13. All work in the public right-of-way shall be performed by a City-licensed contractor.
14. 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 or 266-4816. Approval and permitting of any tree removal or replacement shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
15. The site plans shall be revised to show the location of all rain gutter down spout discharges.
16. 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.

17. 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.
18. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required.
19. Prior to approval, this project shall comply with MGO Chapter 37 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 MGO Chapter 37. Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.
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 CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) lzenchenko@cityofmadison.com. The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. E-mail file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.
22. 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.
23. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
24. 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 Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering Division signoff.

Please contact Bryan Walker of the Traffic Engineering Division at 267-8754 if you have questions about the following five (5) items:

25. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by the Traffic Engineer Division to accommodate the microwave sight and building. The applicant shall submit grading plans and elevations if the building exceeds four stories prior to sign-off to be reviewed and approved by Keith Lippert, (266-4767) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
26. All plantings and signs shall be designed so as not to violate the City's intersection sight-triangle preservation requirement.
27. 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 2 feet overhang, and a scaled drawing at 1" = 20'.
28. 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.
29. 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 Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following item:

30. Provide fire apparatus access as required by IFC 503 2009 edition, MGO 34.503, as follows:
 - a.) Fire lanes shall be unobstructed; there are obstructions shown on the fire lane, remove all obstructions. Examples of obstructions: including but not limited to; parking stalls, loading zones, changes in elevation, power poles, trees, bushes, fences or posts.
 - b.) Where mountable sidewalk/curbs are used as part of the fire lane, those sidewalk/curbs shall be constructed of concrete or asphalt only, and designed to support a minimum load of 85,000 lbs. Provide a cross section detail of the proposed mountable sidewalk/curbs. Clearly identify the locations of all proposed mountable sidewalk/curbs.
 - c.) Access to site is limited due to railroads; additional fire protection features should be provided to assist in early notification of a fire.

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

31. The developer or his engineer shall contact the Madison Water Utility to coordinate the fire hydrant and water service lateral installations.
32. Note: All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Please contact Kay Rutledge of the Parks Division at 266-4714 if you have any questions regarding the following item:

33. The developer shall pay approximately \$135,595.20 for park dedication and development fees for the 60 new multi-family units. The developer must select a method for payment of park fees before signoff on the SIP. This development is within the Vilas-Brittingham park impact fee district (SI27).

Please contact my office at 261-9632 if you have questions about the following item:

34. That the Planned Unit Development be revised per Planning Division approval prior to final approval for recording and the issuance of building permits as follows:
- a.) That the zoning text be specifically revised to state: "The developer acknowledges the presence of existing and future high levels of noise and vibration resulting from trains operating on the nearby railroad rights of way, including from possible future commuter rail services." This provision shall also be added to the leases for all proposed units, with a copy of the lease to be provided for the file.
 - b.) That that the list of permitted uses be revised to include "Home Occupations, as permitted under Section 28.04(26) of the Zoning Ordinance, Home Occupations, except that the requirement related to employees outside the immediate family shall not require a conditional use approval for one employee as proposed in the letter of intent and the restriction to 25% of floor area of one story in 28.04(26)(b)8 not apply to 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.

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.

After the planned unit development has been revised per the above conditions, please file **ten (10) sets** of complete, fully dimensioned, and to-scale 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 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
Kay Rutledge, Parks Division
Dennis Cawley, Madison Water Utility
Pat Anderson, Asst. Zoning Administrator

For Official Use Only, Re: Final Plan Routing			
☒	Planning Div. (T. Parks)	☒	Engineering Mapping Sec.
☒	Zoning Administrator	☒	Parks Division
☒	City Engineering	☒	Urban Design Commission
☒	Traffic Engineering	☐	Rec. Coord. (R&R Plan)
☒	Fire Department	☐	Other: