



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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August 4, 2010

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

RE: Approval of a request to rezone 517-523 E. Main Street from R5 (General Residence District) and C3 (Highway Commercial District) to Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow the construction of a 21-unit apartment building following demolition of a former Water Utility office building.

Dear Mr. McGrath;

At its August 3, 2010 meeting, the Common Council **conditionally approved** your application to rezone 517-523 E. Main Street from R5 and C3 to PUD-GDP-SIP to allow the construction of a 21-unit apartment building following demolition of a former Water Utility office building. The following conditions of approval shall be satisfied prior to final approval and recording of the planned unit development and the issuance of permits for demolition and new construction:

Please contact Janet Dailey, City Engineering Division, at 261-9688 if you have questions regarding the following nineteen (19) items:

1. The approved situs address for this project will be 525 E. Main Street. In accordance with 10.34 MGO—Street Numbers: Submit a PDF of each floor plan to Lori Zenchenko in the Engineering Mapping Section at addressing@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. It is desirable to reconstruct the existing sidewalk ramp at the corner of S. Blair Street and E. Main Street to provide safer crosswalks. The applicant shall work with City Engineering to reconfigure this corner and provide the necessary sidewalk easement dedication to accommodate the improvements.
3. The applicant shall dedicate a public sidewalk easement at the corner of S. Blair Street and E. Main Street. Provide a sketch, legal description and \$500 fee to City Real Estate for administration of the easement.
4. No street trees shall be removed without the approval of the City Forester.
5. Any damage to asphalt pavement shall require restoration in accordance with the City's Patching Criteria.
6. The driveway shall have a stormwater inlet to collect water prior to discharge over the sidewalk.
7. The construction of this building will require removal and replacement of sidewalk, curb and gutter, pavement and utilities 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.

8. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
9. 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.
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. All work in the public right of way shall be performed by a City-licensed contractor.
12. 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 Parks Division, dkahl@cityofmadison.com or 266-4816.
13. 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.
14. 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.
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 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.
16. 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. Email 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.
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. Prior to issuance of the final 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.

19. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision 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 John Leach, Traffic Engineering Division, at 267-8755 if you have questions about the following eight (8) items:

20. The applicant shall dedicate a 10-foot radius for the public sidewalk at the intersection of S. Blair Street and E. Main Street. These sidewalk improvements are required to accommodate pedestrians crossing South Blair Street. In the future, Traffic Engineering is planning pedestrian crossing improvements for S. Blair Street at E. Main Street. The applicant will need to relocate the bike racks closer to the building outside the additional sidewalk.
21. A condition of approval shall be that no residential parking permits shall be issued for 517-523 E. Main Street; 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. The applicant shall note in the zoning text that no residential parking permits shall be issued for this property. In addition, the applicant shall submit a copy of the lease for 517-523 E. Main Street noting the above condition when submitting plans for City approval. Please contact William Knobloch or Bill Putman, Parking Utility, at 266-4761 if you have questions regarding this condition.
22. 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'.
23. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
24. The applicant shall modify the plan so that no part of the driveway approaches shall extend in front of the property belonging to a person other than the permittee unless both property owners sign a joint application for a permit or driveway radii waiver letter prior to submittal of plans for approval. The driveway approach shall have two 5-foot flare at the driveways, making each driveway approach curb cut of 28 feet and should be revised on the plan.
25. 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.
26. The applicant shall submit a construction staging and traffic control plan prior to final approval of the PUD. A condition of these plans shall be that construction of the project cannot impact pedestrian and bicycle access and mobility.
27. 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:

28. Meet applicable building codes, including accessible requirements.

29. Call out and detail the useable open space area of 6,024 square feet.
30. Show addresses of units on the final plan sets.
31. Provide a reuse/recycling plan, to be reviewed and approved by the City Recycling Coordinator prior to a demolition permit being issued. Sec 28.12(12)(e) of the Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
32. Parking requirements for persons with disabilities must comply with MGO Section 28.11 (3)6.(m) which includes all applicable State accessible requirements, including but not limited to:
 - a.) Provide a minimum of 1 accessible stall striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent to and on the passenger side for the surface parking.
 - b.) Show signage at the head of the accessible stall.
 - c.) The accessible stall shall be as near the elevator as possible.
33. Bike parking shall comply with MGO Section 28.11: Provide one bike parking stall for each apartment (29) provided in a safe and convenient locations on an impervious surface to be shown on the final plan. The bike racks shall be securely anchored to the ground or building to prevent the racks from moving. Note: A bike-parking stall is 2' by 6' with a 5-foot access area.
34. If exterior lighting is provided, it must comply with City of Madison outdoor lighting standards. Lighting will be limited to .10 watts per square foot. (See City of Madison Lighting Ordinance).
35. In the Zoning Text, revise the signage to be allowed as per Chapter 31 of the Madison General Ordinances, as compared to the R6 zoning district and a comprehensive sign package shall be approved by the Urban Design Commission. Sign permits must be issued by the Zoning Section of the Department of Planning and Community and Economic Development prior to sign installations.

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

36. The developer shall pay approximately \$43,459.50 for park dedication and development fees for 21 new multi-family units. (Fees in lieu of dedication=(21 @ \$1,477)=\$31,017.00; Park development fees=(21 @ \$592.50)=\$12,442.50). The developer must select a method for payment of park fees before signoff on the rezoning. This development is within the Tenney, Law & James Madison park impact fee district (SI26).

Please contact Scott Strassburg, Madison Fire Department, at 261-9843 if you have any questions regarding the following two (2) items:

37. There shall not be any obstructions between the aerial fire lane and the building. Trees may be present provided they are spaced apart to allow access. Plans C6.0 and A2 show different landscape arrangements. Coordinate final layout with MFD.
38. An NFPA 13 sprinkler system may be necessary to accommodate the professional offices.

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

39. This property is in a Wellhead Protection District. The proposed use is permitted in this District. Any proposed change of use shall be reviewed by the Water Utility General Manager or his representative.

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

40. That the zoning text be revised per Planning Division approval prior to final approval and recording of the planned unit development as follows:
- a.) that the list of permitted uses be revised to specify:
 - multi-family residential uses as shown on the approved plans;
 - professional offices in the home;
 - 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;
 - accessory uses directly associated with those permitted uses;
 - b.) that the list of permitted uses be revised to state that the home occupation and professional office live-work units shall be limited to the 7 first floor units only (the 14 remaining units on the second and third floors would be residential only);
 - c.) that the zoning text be amended to add the following definition of professional office in a home: "A professional office in a home shall mean the office or studio in the residence of a person engaged in a recognized professional specialty and including the fields of religion, architecture, engineering, law, medicine, personal health services, and practice and instruction in the liberal or fine arts, provided that such use shall comply with all the conditions of a home occupation in MGO Section 28.04(26) except as otherwise noted herein. Mechanical equipment customarily appurtenant to said profession may be used provided no external manifestations thereof are apparent at the property line."

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.

The Recycling Coordinator shall approve the reuse and recycling plan submitted prior to the issuance of a wrecking permit. If not previously submitted to the Recycling Coordinator, the reuse and recycling plan shall be submitted along with the resubmittal of site plans for forwarding to the Recycling Coordinator.

The Madison Water Utility shall be notified to remove the water meter prior to demolition.

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
- John Leach, Traffic Engineering Division
- Kay Rutledge, Parks Division
- Scott Strassburg, 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 checked="" type="checkbox"/>	Other: Recycling Coord.