



Department of Planning & Development
Planning Unit

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985
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October 19, 2006

Gary Brink
Gary Brink & Associates, Inc.
8401 Excelsior Drive
Madison, Wisconsin 53717

RE: Approval of a request to rezone 415 – 419 W. Dayton Street from R6 (General Residence District) to Planned Unit Development, General Development Plan/ Specific Implementation Plan (PUD-GDP-SIP) to allow demolition of one single-family residence and two converted multi-family residences and the construction of a new 20-unit condominium building.

Dear Mr. Brink:

At its October 17, 2006 meeting, the Common Council **conditionally approved** your client's application to rezone property located at 415– 419 W. Dayton Street from R6 to PUD-GDP-SIP. The following conditions of approval shall be satisfied prior to final approval and recording:

Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following sixteen (16) items:

1. Any damage to W. Dayton Street pavement will require restoration in accordance with the City's patching criteria.
2. The City Engineer may allow a street excavation permit to be used in place of the Developer Agreement after consultation with the Developer. All requirements of the Developer Agreement including surety will apply to the street excavation permit if this is allowed by the City Engineer.
3. All roof runoff shall be collected and conveyed to public storm sewer.
4. Eight-inch sanitary lateral will require a new manhole to be constructed over the existing 24-inch diameter main.
5. Situs address shall be 417 W. Dayton Street mailing addresses will need to be assigned to the individual units, contact Lori Zenchenko at 266-5952 to discuss an addressing plan. 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.
6. 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.

7. The applicant shall replace public sidewalk along W. Dayton Street. The applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later.
8. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
9. A City licensed contractor shall perform all work in the public right-of-way.
10. 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.
11. The Applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko). The digital copies shall be drawn to scale and represent final construction, including: building footprints, internal walkway areas, internal site parking areas, and other miscellaneous impervious areas.
12. The applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.
13. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
14. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
15. 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.
16. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.

Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions about the following eight items:

17. The spacing of access for driveways is an important element in planning, design, and operations of roadways. Access points are the main source of crashes and congestion. Their location and spacing directly affect the safety and functional integrity of the streets. The applicant has combined the truck service and parking ramp driveway approaches. The driveway shall be redesigned to better define truck service and automobile

ingress/egress. The applicant shall modify the two driveway approaches according to MGO 10.08(3)(c) Any two entrance shall be a least ten feet apart and in case less then sum of the approach flare or radii.

18. The applicant shall submit site plans for 423 & 425 W. Dayton Street. The joint driveway and approach should be at least ten feet wide according to MGO. In addition, the applicant shall show the existing parking according to MGO or note "According to Central Area Backyard Parking Standards."
19. When the applicant submits final plans for approval, the plans shall show the following: items in the terrace as existing (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), signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, on a scaled drawing at 1" = 20'.
20. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
21. The ramp down to the underground parking and its percent of slope shall be designed to accommodate low-clearance vehicles for a transition. The ramp breakover angle (limited by vehicle wheel-base and ground clearance) and angles of approach (affected by front overhang of vehicles) and departure (affected by rear overhang) are critical vehicle clearance points. Standards established by the Society of Automotive Engineers limit the ramp breakover angle to no less than 10 degrees; angle of departure, no less than 10 degrees; and angle of approach, no less than 15 degrees. The applicant shall provide a profile of the ramp showing the slopes critical clearance, when plans are submitted for approval. The applicant should explore ramp slopes (grades) less than 10 % that can be blended satisfactorily with an 8-foot transition length.
22. The applicant shall modify the driveway approaches according to the design criteria for a "Class III" driveway in accordance to MGO Section 10.08(4).
23. All directional/ regulatory signage and pavement markings on the site shall be shown and noted on the plan.
24. 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 Si Widstrand, Parks Division, at 266-4711 if you have questions about the following item:

25. Park fees totaling \$19,686.48 shall be paid prior to issuance of a building permit. This amount includes credits given for the three one and two-family units and four multi-family units currently occupying the site. This development no private open space or recreational improvements that qualify for Inclusionary Zoning credits.

Please contact John Lippitt, Madison Fire Department, at 261-9658 if you have questions about the following two items:

26. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least two fire hydrants. Distances are measured along the path traveled by the fire truck as the hoselays off the truck. See MGO 34.20 for additional information.
27. Provide fire apparatus access as required by Comm. 62.0509 and MGO 34.19 as follows:
 - a.) the site plans shall clearly identify the location of all fire lanes;
 - b.) provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal;

- c.) provide a fire lane that extends to within 150 feet of exterior positions of the structure, or if fully sprinklered, the length can be extended to 250 feet.

Please contact Hickory Hurie or Barb Constans, Community Development Block Grant Office, at 267-0740 regarding the following condition regarding Inclusionary Zoning:

28. According to the ordinance provisions, the project does meet the initial standards of financial feasibility for a market rate project at the density levels permitted under the current zoning. However, the proposal with a full 15% of the units at inclusionary prices does not fall within the gross profit margin standards adopted by the Council, but a combination of two on-site IZ units and a payment in lieu for the third does meet the gross profit margins for feasibility established by the Council. **The project was approved with a partial waiver of two on-site units, the provision of one on-site IZ unit and a payment in lieu of \$30,000.**

Please contact Kathy Voeck, Assistant Zoning Administrator, at 266-4551 if you have questions regarding the following six items:

29. Any projections either under or over the public right of way shall be approved by the Street Encroachment Committee. Please contact Jerry Lund in the Community and Economic Development Unit at 267-8718 for more information.
30. Clearly show the property lines on the final plan sheets.
31. Section 28.04(24) provides that Inclusionary Zoning requirements shall be complied with as part of the approval process. Submit, to the Community Development Block Grant Office a copy of the approved plan for recording prior to final signoff of the rezoning.
32. Provide one 10' x 35' loading areas with 14' vertical clearance to be shown on the plan. The loading area may be located in a drive aisle that meets the above requirement.
33. Provide twenty (20) bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.
34. In the zoning text, the setbacks do not actually reflect the actual building setbacks, including porches, canopies and parking text; revise accordingly. [See Planning Unit condition below (#35b).]

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

35. That the zoning text be revised per Planning Unit approval as follows:
 - a.) that the list of uses be revised to include only residential uses as allowed in the R6 zoning district and any accessory uses related thereto;
 - b.) the floor area ratio, building height, yard areas and parking sections shall be noted "as shown on the attached plans," and;
 - c.) the "Management/ Maintenance Plan," "Site Improvements" and "Sale Prices" sections shall be removed.

Approval of 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 **nine (9) sets** of the revised, complete site plans, building elevations, floor 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 signature of final approval. A copy of the Reuse and Recycling Plan shall also be submitted to Zoning for forwarding to the City’s Recycling Coordinator for 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: Kathy Voeck, Asst. Zoning Administrator
 Janet Dailey, City Engineering
 Si Widstrand, Parks Division
 John Leach, Traffic Engineering
 John Lippitt, Madison Fire Department

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Unit (T. Parks)	<input type="checkbox"/>	Madison Water Utility
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Recycling Coordinator (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Metro Transit
<input checked="" type="checkbox"/>	CDBG Office	<input type="checkbox"/>	Other: