



Department of Planning & Community & Economic Development
Planning Division

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July 21, 2011

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 and 115 N. Mills Street from PUD-SIP to Amended PUD-GDP-SIP to modify the plans for the renovation and expansion of the University of Wisconsin's Charter Street Heating Plant west of N. Mills Street and to allow parking lot to be constructed east of N. Mills Street on the site of a future biomass storage and handling facility.

Dear Mr. Brown;

At its July 19, 2011 meeting, the Common Council **conditionally approved** your request to amend the Charter Street Heating Plant PUD-GDP-SIP at 117 N. Charter Street and 115 N. Mills Street. 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-three (23) items:

1. Please contact Greg Fries at 267-1199 regarding comments a.) – l.) below. The City has met with the applicant and representatives from the Wisconsin Department of Natural Resources (WDNR) to discuss storm and sanitary issues. Stormwater and sanitary sewer discharge and routing plans shall be revised as follows:
 - a.) The existing storm water surface area being discharged to MMSD's system is the area under the roof and in MG&E substation (this is essentially an exposed basement in the southwest corner of the site). It was agreed that this would in the future be discharged to the storm system and a new MMSD permit would not be sought.
 - b.) Non-contact cooling water was previously estimated at 5 CFS, and while this may end up being a lower flow the discharge will be sent to the storm sewer system. The water has chemical additives that will be approved by the WDNR and City/County Health Department. The City anticipates that this discharge to the storm system will be acceptable after the additives goes to the reverse osmosis system. WDNR would review projected flow and pollutant characteristics of the discharge to determine appropriate discharge limits. This process could be started early and the permit could be re-issued early if the discharge were to occur before the permit expiration on 4/13/2013.
 - c.) This site uses lake water for cooling purposes and proposes to discharge portions of that flow to the storm sewer and portions to the sanitary sewer. All lake water or stormwater discharges to the sanitary sewer must be metered for billing purposes. The applicant shall provided a detailed plumbing plan prior to approval and coordinate City meter installation and inspection of the plumbing system with the City Engineer and the Water Utility. Any requests for 'deduct meters'

shall be handled in the same fashion.

- d.) The applicant shall indicate if the wastewater discharge from the coagulation and flocculation process would occur separately from the reverse osmosis process.
 - e.) Backwash from the reverse osmosis system will discharge to the sanitary system. A permit and a discharge meter shall be obtained to determine charges as the inflow is from the lake.
 - f.) WDNR typically regulates discharges of reverse osmosis reject wastewater to storm sewer when it's applied to potable water under a general permit with minimal regulation. The UW should apply to WDNR to add an outfall in its existing permit for such a discharge of this reverse osmosis reject waste water. The City would require projected flow and pollutant characteristics for this waste stream to determine appropriate discharge limits.
 - g.) The blow down water from the boiler shall go to the sanitary system and shall require a permit and a discharge meter. As with the reverse osmosis system discharge, this waste stream could be a third outfall in the UW's existing permit provided the City has adequate flow and pollutant characteristic information to determine appropriate discharge limits.
 - h.) Plans calls for connecting storm sewer to MMSD's sanitary sewer. The applicant shall provide written confirmation from MMSD approving the proposed cross connection, including approval of the increased projected flows. Prior to City Engineering Division signoff, the applicant shall provide any necessary permits from MMSD for this connection.
 - i.) The City shall install public storm sewer in conjunction with the N. Charter Street reconstruction project, scheduled for 2013. This storm sewer shall be extended north almost to W. Dayton Street and the UW shall direct the roof water from the new building on W. Dayton Street to this new storm sewer.
 - j.) The City requests that the UW provide detention in the southeast corner of the site to slow down the water discharging under the railroad tracks as this area already experiences stormwater flooding.
 - k.) Infiltration was determined to not be feasible at this site.
 - l.) The UW shall provide sump pumps within the storm sewer to reduce the amount of sediment leaving the site. The sump pumps shall be located within structures that can be accessed by cleaning equipment.
2. The applicant and City staff has met to discuss the timing of the proposed public improvements in the vicinity of the development. The applicant and his/her contractor shall coordinate the improvements on Spring Street and N. Charter Street with the City's proposed reconstruction projects, scheduled for 2012 and 2013.
 3. The applicant shall remove the existing rail spurs from the N. Orchard Street right of way by taking out a Permit to Excavate in the Right of Way. The applicant shall replace any curb and gutter, sidewalk and pavement to repair the street as necessary after the rails are removed. All pavement patching as required under the permit shall be done in accordance with the City of Madison Pavement Patching Criteria. The applicant shall remove the existing rail spurs on N. Mills Street, W. Dayton Street, at the N. Charter Street/Spring Street intersection, and on N. Charter Street north of W. Dayton Street.
 4. The applicant shall replace any curb and gutter, sidewalk and pavement to repair the street as necessary after the rails are removed. All pavement patching shall be done in accordance with the City of Madison Pavement Patching Criteria. If the Applicant wishes to use asphalt for the rail crossing at the Charter/Spring Street intersection to patch the curb and sidewalk this shall be allowable since that intersection is scheduled to be reconstructed in 2013 and the repairs are temporary. This work shall be covered under the Development Agreement.

5. The applicant shall complete and record the two Certified Survey Maps that are required for this project prior to signoff of the PUD.
6. The applicant shall provide copies of the recorded railroad lease to Eric Pederson of City Engineering prior to signoff.
7. 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.
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 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.
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 City Parks Department – dkahl@cityofmadison.com or 266-4816.
13. All damage to the pavement on N. Charter Street, W. Dayton Street, N. Mills Street and Spring Street adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria.
14. 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.
15. 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.

16. 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.

17. 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. Stormwater management plans shall be submitted and approved by the City Engineering Division prior to signoff.
18. 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).
19. 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).
20. 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.
21. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
22. The applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project that are not covered under the Development Agreement. This includes water, gas and electric. 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.
23. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior City Engineering Division signoff, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Janet Dailey (261-9688) to

obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering Division signoff.

Please contact Bryan Walker, Traffic Engineering Division, at 267-8754 if you have questions about the following seven (7) items:

24. The applicant will need to reconstruct the bike path and Spring Street just at the intersection of N. Charter Street to update the conditions present there. Plans and design for this work shall be reviewed and approved by the City Traffic Engineer and City Engineer.
25. The driveways on N Mills Street shall be designed according to MGO 10.08 design criteria for a Class 3 driveway. The northwesterly driveway shall be narrowed to the maximum permitted width of 30 feet for a driveway approach. The southwesterly driveway (truck entrance) shall be modified to create no offset between the driveway and the curb cut flare. These changes shall be shown and noted when the applicant submits final plans for approval.
26. 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'.
27. "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.
28. 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."
29. 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.
30. 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:

31. 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.
32. 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.

33. If outdoor lighting is provided, it must comply with MGO Section 10.085 outdoor lighting standards.
34. 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:

35. The Madison Fire Department (MFD) continues to work with the design team developing appropriate safeguards to mitigate hazards associated with this industrial site. MFD design and preventive measures are being incorporated into the project to establish an acceptable level of safety.

Please contact Maureen Richards, City Assessor's Office, at 266-4845 if you have any questions regarding the following item:

36. Note: The City Assessor's Office requests that the one-lot Certified Survey Map of this property approved in 2010 be recorded with the Dane County Register of Deeds.

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

37. 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) conditions of approval recommended by the Plan Commission and approved by the Common Council:

38. That the next University master plan show the parking lot at 115 N. Mills Street as a temporary use, with the future long-term use of that site to be as a biomass storage and handling facility or academic building.
39. That the approval of the interim parking lot at 115 N. Mills Street be valid for a period of two years following construction. Use of the parking lot beyond the two-year period will require re-approval by the Plan Commission.

You are 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 **nine (9) 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

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	☐	Water Utility
☒	Fire Department	☐	Other:

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