



Department of Planning & Community & Economic Development  
**Planning Division**

Website: [www.cityofmadison.com](http://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  
PH 608 266-4635

August 7, 2008

James McFadden  
McFadden & Company  
228 State Street  
Madison, Wisconsin 53703

RE: Approval of a request to rezone 119-125 N. Butler Street and 120-124 N. Hancock Street from Planned Unit Development, General Development Plan (PUD-GDP) to Planned Unit Development, Specific Implementation Plan (PUD-SIP) to allow construction of a new 38-unit apartment building on the Butler Street frontage as part of a project that will also incorporate and continue the current use of the two 2-unit houses on the Hancock Street frontage. (Cliff Fisher)

Dear Mr. McFadden:

At its August 5, 2008 meeting, the Common Council **conditionally approved** your client's application to rezone property located at 119-125 N. Butler Street and 120-124 N. Hancock Street from PUD-GDP to PUD-SIP. The following conditions of approval shall be satisfied prior to final approval and recording of the specific implementation plan and the issuance of building permits:

**Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following twenty-one (21) items:**

1. City Engineering review indicates the owner shall convey public inter-lot drainage easements and probable that public sanitary and storm easements will also be required. The ideal and most efficient manner to accomplish this is for the owner to submit to the City of Madison a Certified Survey Map (CSM) and recording the same. Another alternative, the owner may request the City of Madison Real Estate Unit administer the necessary easements. Real Estate requires a \$500 administrative fee, and most likely more time to complete the easements than the submittal, approval and recording of the CSM.
2. Roof drainage from 121 N. Butler Street shall be connected to storm sewer in N. Butler Street.
3. 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.

4. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
5. The applicant shall replace all sidewalk and curb and gutter which abutting 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.
6. 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.
7. A City-licensed contractor shall perform all work in the public right of way.
8. 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 Division – [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816.
9. 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.
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. If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane County Register of Deeds.
12. 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), provide oil and grease control from the first 1/2" of runoff from parking areas and 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.
13. 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](mailto: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. Email file transmissions preferred. Please include the site address in this transmittal. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format.

14. 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.
15. 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.
16. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
17. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
18. 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.

The permit applications for #15-18 are available online at:  
<http://www.cityofmadison.com/engineering/permits.cfm>.

19. The site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right of way.
20. 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 / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
21. 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.

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

22. [The condition regarding residential parking permits for this site was removed by the Common Council at the recommendation of the Plan Commission and district alder.]

23. The applicant shall modify the design for the underground parking areas for stalls and backing up according to Figures II of the ordinance using the 9' or wider stall. Or use "One Size Fits All" stall maybe used for the underground parking area only, which is a stall S = 8'-9" in width by L = 17'-0" in length with a E = 23'-0" backup. The applicant shall modify that Stair cases, Elevators shafts, Aisles, ramps, columns, offices or work areas are to be excluded from these rectangular areas, when designing underground parking areas.
24. 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 two (2) feet overhang, and a scaled drawing at 1" = 20'.
25. All signs at the approaches shall be installed behind the property line. All directional/ regulatory signage and pavement markings on the site shall be shown and noted on the plan.
26. 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 Scott Strassburg, Madison Fire Department, at 261-9843 if you have questions about the following two items:**

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 an aerial apparatus access fire lane that is at least 26 feet wide, with the near edge of the fire lane within 30 feet of the structure, and parallel to one entire side of the structure, if any part of the building is over 30 feet in height.
  - c.) Provide a fire lane that extends to within 150 feet of all exterior portions of the structure, or it can be extended to within 250 feet if the building is fully sprinklered.
28. 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 hose lays off the truck. See MGO 34.20 for additional information.

**Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have questions regarding the following four items:**

29. Meet all applicable State accessible requirements, including but not limited to:
  - a.) Provide a minimum of **one** 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. The stall and access to the stall shall have a minimum of 8' 2" ceiling clearance.
  - b.) Show signage at the head of the stalls. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.

- c.) Show the accessible path from the stalls to the building. The stalls shall be as near the accessible entrance/ **elevator** as possible. Show ramps, curbs, or wheel stops where required.
30. Provide one bike-parking stall per each dwelling unit in safe and convenient locations 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.
31. The zoning text shall be modified to include the following:
  - a.) Under 'Statement of purpose' or 'permitted uses', note the number of dwelling units existing to remain and number of dwelling units in the proposed building.
  - b.) Under 'Signage' add "Signage shall be approved by the Urban Design Commission.
  - c.) The zoning text heading shall include PUD(SIP).
32. Show building addresses on the final site plans.

**Please contact my office at 267-8735 if you have questions about the following item:**

33. That the developer submit proof of financing, which provides assurances that the project will be completed once started, in a form acceptable to the Director of the Department of Planning and Community & Economic Development prior to any permits being issued.

**The applicant is also required to satisfy the conditions of approval of the Urban Design Commission prior to the final approval of the planned unit development for recording. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions.**

**Note that any applicable park fees are payable prior to the recording of the PUD or at the time of issuance of building permits. Please contact Si Widstrand at 266-4711 for information on any fees due for this project and the process for paying them.**

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 **seven (7) 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.

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 267-8735.

Sincerely,

Michael Waidelich  
Principal Planner

cc: Pat Anderson, Assistant Zoning Administrator  
Janet Dailey, City Engineering  
John Leach, Traffic Engineering  
Scott Strassburg, Fire Department  
Si Widstrand, Parks Division

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