



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
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February 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 R6 (General Residence District) to Planned Unit Development, General Development Plan (PUD-GDP) to allow future 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; and approval of a demolition permit for the three existing houses on N. Butler Street. (Cliff Fisher)

Dear Mr. McFadden:

At its February 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 R6 to PUD-GDP. The following conditions of approval shall be satisfied prior to final approval and recording of the general development plan:

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

1. It appears that private easements shall be required for private storm sewer and/or private sanitary sewer.
2. Lots within this development are interdependent upon one another for drainage and/or stormwater management. Prior to approval, an agreement must be approved and recorded that identifies all owner's rights and responsibilities.
3. The new building address will be 121 N. Butler Street.
4. Please coordinate apartment/ unit number address plan with Lori Zenchenko in the City Engineering (lzenchenko@cityofmadison.com). Unit numbering schematic may change due to the vague number of units identified in the letter of intent. When exact number of units are approved and defined, final official addresses, and notification thereof, will be provided.
5. 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.

6. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
7. 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.
8. A City-licensed contractor shall perform all work in the public right of way.
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. 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) and provide oil and grease control from the first 1/2" of runoff from parking areas.
12. 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. 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.
13. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). 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).
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 site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right of way.
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, 16 & 18 are available on line at:
<http://www.cityofmadison.com/engineering/permits.cfm>.

19. 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 four items:

20. 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" = 30'.
21. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
22. A "Stop" sign shall be installed at a height of seven feet at all driveway approaches. 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.
23. 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 three items:

24. 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.
25. 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.
26. As required by MGO 10.34 and IFC 505.1, all residential and commercial buildings must have the approved address posted. The address numbers shall be four inches in height, numbers shall be in contrast to the background and visible from the street.

Please contact Matt Tucker, Zoning Administrator, at 266-4551 if you have questions regarding the following four items:

27. 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.
28. 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.
29. The zoning text shall be modified to included 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(GDP).
30. Show building addresses on the final site plans.

Please contact Si Widstrand, Parks Division, at 266-4711 if you have questions about the following item:

31. Park dedication and development fees will be due for this project, less a credit that will be given for four existing multi-family units and four existing two-family units. The fees assessed will be the fees in effect at the time the project is approved by the Common Council. The developer must select a method for payment of park fees before signoff on the SIP. Prior to City signoff on this project, the developer shall select one of the following options for paying these fees:
- Payment of all fees in a lump sum prior to City signoff on the project;
 - When fees exceed \$20,000, the developer may pay half the fees and provide a two-year letter of credit for the remaining half of the fees, both prior to City signoff, or;
 - The fee payment may be paid within fourteen days of issuance of any zoning, conditional use or building permit. No certificate of occupancy may be issued for buildings on any parcel for which there are unpaid impact fees. Under this option, the fees shall be calculated and prorated to each lot on the development, and the developer shall record a notice of the outstanding impact fees for each lot prior to receiving City signoff for the project. All fees shall be paid at the rate in effect at the time of payment.

Please contact Si regarding the fees due for this project.

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

32. All necessary approvals to allow the house at 119 N. Butler Street to be relocated must be approved prior to recording a PUD-SIP for the project.
33. No demolition or removal of any building may occur before a PUD-SIP for the project is approved and recorded.

Building or demolition permits may not be issued until a specific implementation plan for this project is approved by the Common Council and recorded with the Dane County Register of Deeds.

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.

A reuse and recycling plan approved by the Recycling Coordinator is required by ordinance prior to the issuance of a wrecking permit for the structures to be demolished. 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 meters prior to any demolitions.

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: Matt Tucker, 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: