



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
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P.O. Box 2985
Madison, Wisconsin 53701-2985
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July 19, 2007

Steve Yoder
Advanced Building Corporation
3624 Pioneer Road
Verona, Wisconsin 53593

RE: Approval of a request to rezone 6500 Normandy Lane (aka. 6650 Odana Road/ 502 S. Yellowstone Drive) from C3L (Commercial Service & Distribution District) to Planned Unit Development, General Development Plan and Planned Unit Development, Specific Implementation Plan (PUD-GDP-SIP) to allow construction of a 91-unit residential condominium building.

Dear Mr. Yoder:

At its July 17, 2007 meeting, the Common Council **conditionally approved** your application to rezone property located at 6650 Odana Road and 502 S. Yellowstone Drive from C3L to PUD-GDP-SIP. The following conditions of approval shall be satisfied prior to final approval and recording of the planned unit development and the issuance of any building permits for the project:

Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following fourteen (14) items:

1. Application contains significant parcel data (address and parcel number) errors, referring to an entirely different property across the street on Normandy Lane. Parcel square footages listed in application also do not match proposed Lot 1 of Certified Survey Map (CSM).
2. Revise the CSM, so that at a minimum it includes a proposed Lot 2 for the Market Square Retail Mall remnant lands. Also, if the planned Phase II Condominium site configuration allows for the existing theater to remain in the interim, then a proposed Lot 3 can be created at this time if applicant wishes, or taken care of with future rezone application.
3. PLSS land tie bearing does not include a directional suffix and shall be revised. Land tie also omits bearing and distance call to most northern point of proposed Lot 1. Revise written legal description to include land tie calls and corresponding Point of Beginning (POB) rather than the random corner radius POB call as written and not identified on the proposed CSM.
4. Any damage to pavement on S. Yellowstone Drive will require restoration in accordance with the City's Patching Criteria.
5. Provide detailed design to show how the underground parking entrance is protected from the 100-year rain event. A Professional Engineer shall certify the design.
6. The site plan shall reflect a proper street address of the property as reflected by official the City of Madison Assessor's Office and Engineering Division records.

7. Coordinate all necessary new interior addresses associated with this proposed development with City Engineering Program Specialist Lori Zenchenko at lzenchenko@cityofmadison.com or 266-5952
8. A City licensed contractor shall perform all work in the public right of way.
9. 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.
10. 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.
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, lot lines/ numbers/ dimensions, street names, 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. 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 (261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
14. 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 thirteen (13) items:

15. The attached traffic signal declaration of conditions and covenants shall be executed and returned with site plans. The development shall acknowledge on their proportionate share of traffic signal assessments. The development shall further agree in writing to not oppose their proportionate share of the traffic signal assessments as part of the City's Special Assessment districts for traffic signals.
16. The applicant shall provide a scaled drawing on one contiguous updated plan sheet showing all the facility's access, existing and proposed buildings, layouts of parking lots, loading areas, trees, signs, semi trailer and vehicle movements, sidewalks linkages, ingress/egress easements, pavement markings, signage and approaches according to MGO.
17. The applicant should provide an area for visitor outside and inside tenant moped parking spaces and access. Moped standard parking spaces recommend 4 feet in width and 6 feet in length with a 6-foot access aisle.
18. The applicant shall provide sidewalk linkage to Odana Road through the site to Normandy Way. In addition, the applicant shall provide sidewalk from Grand Canyon Drive on the west side and S. Yellowstone Drive on the east side of the site.

19. The applicant shall show bicycle racks to be placed inside and outside the building. In addition, the applicant shall indicate the type of bicycle racks to be installed both inside and outside of the condominium units.
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), 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'.
21. The applicant shall show the dimensions for all proposed and existing surface and underground parking stalls' items A, B, C, D, E, F, and degree of angle parking width and backing up, according to Figures II "Medium and Large Vehicles" parking design standards in Section 10.08(6)(b)2. The two (2) feet of vehicle overhang shall be shown on the plan and dimensioned. The applicant shall show 6500 Normandy Way, 502 S. Yellowstone Drive and 6650 Odana Road parking spaces.
22. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
23. "Stop" signs shall be installed at a height of seven feet at all driveway approaches behind the property line and noted on the plan. The applicant will need to install a "Stop" sign at the Grand Canyon Drive driveway approach. In addition, the applicant will need to install "Keep Right" signs on the islands for the Odana Road driveway approach. 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 and approved by City Traffic Engineering.
24. The intersection shall be so designed so as not to violate the City's sight-triangle preservation requirement which states that on a corner lot no structure, screening, or embankment of any kind shall be erected, placed, maintained or grown between the heights of 30 inches and 10 feet above the curb level or its equivalent within the triangle space formed by the two intersecting street lines or their projections and a line joining points on such street lines located a minimum of 25 feet from the street intersection in order to provide adequate vehicular vision clearance.
25. The applicant shall design the surface parking areas for stalls and backing up according to Figures II of the ordinance using the 9' or wider stall. The applicant will need to show the dimensions for proposed degree parking stalls' items A, B, C, E, F, H and degree angle parking width and backing up, according to Figures II "Medium and Large Vehicles" parking design standards in Section 10.08(6)(b) 2.
26. 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.
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 Si Widstrand, Parks Division, at 266-4711 if you have questions about the following item:

28. Park dedication required for this project is 63,700 square feet based on 700 square feet per unit for the 91 multi-family units. The required dedication shall be paid as a fee in lieu of land, based on the actual value of the acreage up to a maximum of \$1.82 per square foot. The dedication fee for this project is \$115,934.00. Park Development Fees are \$49,224.63 (\$540.93 per unit). → Total park fees for this project = **\$165,158.63**.

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 at no interest for the remaining half of the fees, both prior to City signoff;
- When fees exceed \$50,000 for plats being built with phased subdivision improvement contracts, the developer may pay the fees due for the number of units in each contract phase, paid at the time of contract execution, and at the fee rates then in effect. 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.
- The developer has elected to defer the payments until such time as the building permits are applied for, in which case the owner(s) shall have fourteen (14) days after receiving the invoices to pay the outstanding impact fees. The following shall be required prior to project sign off:
 - a) The developer shall supply an Excel spreadsheet with lot numbers, lot areas, and number of dwelling units per lot. The Developer shall supply a Cadd file of the proposed FINAL plat, in a format compatible with Microstation J. This information shall be required to calculate the Impact Fees, which will then be recorded at the Register of Deeds against each lot in the subdivision.
 - b) All information shall be transmitted to Janet Dailey by e-mail at Jdailey@cityofmadison.com, or on a CD to:
Janet Dailey, City of Madison Engineering Division; 210 Martin Luther King Jr. Blvd., Room 115; Madison, WI 53703
 - c) A minimum of three (3) weeks shall be required for staff to calculate the Impact Fees and record the documents prior to plat sign-off.
 - d) The developer shall put the following note on the face of the plat: "All the lots within this subdivision are subject to impact fees that are due and payable within fourteen days of the issuance of building permit(s)."

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

29. Section 28.04(24) provides that Inclusionary Zoning requirements shall be complied with as part of the approval process. Submit to CDBG a copy of the approved inclusionary zoning plan for recording prior to zoning sign off of the plan.

30. Show species and sizes of landscape elements.

31. In the zoning text, include the address of the property in the heading. In the signage of the text, include "and as approved by the Urban Design Commission and zoning."

32. Lighting is required. Provide a plan showing at least 0.5-footcandle on any surface on any lot and an average of .75 footcandles. The maximum light trespass shall be 0.5-fc at 10 feet from the adjacent lot line. (See City of Madison Lighting Ordinance for more information).

Please contact Bill Sullivan, Madison Fire Department, at 261-9658 if you have questions about the following item:

33. 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 minimum unobstructed width of 26 feet for at least 20 feet on each side of the fire hydrant;
- d.) provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.

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

- 34. That the zoning text for the planned unit development be amended per Planning Division approval as follows:
 - a.) That the list of permitted uses for the project be listed as follows:
 - multi-family residences as shown on the approved plans, and;
 - uses accessory to the permitted uses listed above.
 - b.) That parking for the PUD be noted "As shown on the approved plans;"
 - c.) That signage for the condominium development shall be limited to the maximum permitted in the R4 zoning district and as approved by the Urban Design Commission and Zoning Administrator.
- 35. That the applicant secure cross access and parking easements and a reciprocal agreement for maintenance of common elements shared between the proposed condominium development and Market Square Shopping Center, and that those agreements be noted in the recorded planned unit development and forthcoming Certified Survey Map of the site.
- 36. That the Inclusionary Dwelling Unit Plan be revised to visually depict the location of the inclusionary dwelling units in the proposed development. Units shall be both vertically and horizontally dispersed throughout the project. The revised IDUP and dispersal plan shall be subject to final approval by the Planning Division and Community Development Block Grant Office.

Please contact Barb Constans or Hickory Hurie in the Community Development Block Grant Office at 267-0740 for information on the inclusionary zoning-related documents required to be executed by you and the City prior to final approval and recording of the planned unit development.

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 **eight (8) 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 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Matt Tucker, Zoning Administrator
Janet Dailey, City Engineering
John Leach, Traffic Engineering
Bill Sullivan, Madison Fire Department
Si Widstrand, Parks Division

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. 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: