



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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August 3, 2006

Tien Truong & Jim Hess
Anthias/ Promitory, LLC
2970 Chapel Valley Road
Madison, Wisconsin 53711

RE: Approval of a request to rezone 1.3 acres located at 8201 Mayo Drive from Planned Unit Development, General Development Plan/ Specific Implementation Plan (PUD-GDP-SIP) to Amended PUD-GDP-SIP to allow construction of a mixed-use building containing 44 condominium units and first-floor retail space.

Dear Ms Truong & Mr. Hess:

At its August 1, 2006 meeting, the Common Council **conditionally approved** your application to rezone property located at 8201 Mayo Drive from PUD-GDP-SIP to Amended PUD-GDP-SIP. The following conditions of approval shall be satisfied prior to final approval and recording:

Please contact Janet Gebert, City Engineering, at 266-4751 if you have questions regarding the following eleven items:

1. The approval and recording of the previously submitted proposed Certified Survey Map, which includes this project lands, shall be coordinated with the recording of the PUD(SIP) and Condominium Plat.
2. Individual Condominium unit addresses shall be obtained and/or approved by the Engineering Division. Contact Lori Zenchenko at 266-5952 or lzenchenko@cityofmadison.com.
3. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
4. 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.
5. 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.
6. The City of Madison is an approved agent of the Department of Commerce. This proposal contains a commercial building and as such, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the Wisconsin Department of Natural Resources is required.
7. 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.

8. 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 80% TSS (5 micron particle), provide infiltration in accordance with NR-151, provide substantial thermal control and provide oil & grease control from the first 1/2" of runoff from parking areas.
9. 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.
10. 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).
11. 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.

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

12. To provide for adequate pedestrian pathways/linkage from the Waldorf Boulevard public sidewalk as part of approval, the applicant shall modify the main drive aisle running west to east installing a five-foot sidewalk with a three to five-foot grass terrace/buffer behind the curb/driveway along the south or north side of the driveway. In addition, the applicant shall provide pavement markings and ramps for all pedestrian crossings in the parking lot or along the drive aisle.
13. The applicant shall provide one contiguous site plan including 8253 Mayo Drive parking and access as approved.
14. The applicant shall add the following Maintenance of Traffic Measures to the Midtown Commons GDP/SIP Zoning Text:

MAINTENANCE OF TRAFFIC MEASURES

Several streets within the GDP and plat include special traffic islands and traffic calming measures within the public right-of-way. The _____ (Association) shall be responsible, at the Association's sole cost and expense, for the maintenance and upkeep of such physical traffic measures. Such maintenance and upkeep shall be performed at the discretion of the Association except to the extent required by the City of Madison and shall include landscaping. If the landscaping is not maintained, the City will give notice to the _____ (Association) that it is not being maintained. If the Association does not respond to the notice within 60 days, the physical traffic measures will be topped with an asphalt pavement.

The _____ (Association) and persons involved with the maintenance and upkeep of the special traffic measures shall indemnify and hold harmless the City of Madison and its Boards and

Commission and their officers, agent and employees from and against all claims, demands, loss of liability of any kind or nature for any possible injury incurred during maintenance and upkeep.

15. 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'.
16. The applicant shall provide scaled drawing at 1" = 40' or larger on one contiguous plan sheet showing all the facility's access, existing and proposed buildings, layouts of parking lots, loading areas, trees, signs, vehicle movements, ingress/egress easements and approaches.
17. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
18. A "Stop" sign shall be installed at a height of seven (7) 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.
19. 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.
20. The applicant shall dimension for proposed parking stalls' items A, B, C, D, E, and F, and for ninety-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.
21. The parking facility shall be modified to provide for adequate internal circulation for vehicles. Eliminating a parking stall at the dead ends can accommodate this. The eliminated stall shall be modified to provide a turn around area ten (10) to twelve (12) feet in width and signed "No Parking Anytime."
22. 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:

23. Park dedication requirements were met for this project were met with the subdivision approval. Park Development Fees are \$23,063.04 (\$524.16 per unit) for the 44-unit project. Park fees shall be paid prior to issuance of a building permit.

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

24. 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 hoses lay off the truck. See MGO 34.20 for additional information.

25. 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.

Please contact Kathy Voeck, the Assistant Zoning Administrator, at 266-4551 if you have questions regarding the following seven items (the CSM requirement has been completed):

26. Clearly identify property lines on the site plan. Show dimensions of stalls, drive aisles, etc., and show distance from the building to the property lines.

27. Meet all applicable State accessible requirements, including but not limited to:

- a.) Provide a minimum of two accessible stalls striped per State requirements in the parking garage and a minimum of two accessible stalls striped per State requirements in the surface lot. A minimum of one of the surface stalls shall be a van accessible stall 8-foot wide with an 8-foot striped area adjacent. Note: The accessible garage parking stalls shall have a minimum of a 5-foot' striped out area adjacent to them.
- 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/floor.
- c.) Show the accessible path from the stalls to the building. The stalls shall be as near the accessible entrance (or elevator) as possible. Show ramps, curbs, or wheel stops where required.

28. Provide two 10' by 35' loading areas with 14-foot vertical clearance to be shown on the plan (one for the residential use and one for the commercial use). The loading areas shall be exclusive of drive aisle and maneuvering space.

29. Provide 47 bike-parking stalls (3 commercial use and 44 residential use) 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. Surface bike stalls shall be shown on the site plan.

30. For 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. (Note: The required trees do not count toward the landscape point total.) Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch or other non-vegetative cover. All plant materials in islands shall be protected from vehicles by concrete curbs.

31. Lighting is required for this project. Provide a plan showing at least .25 footcandle on any surface of the lot and an average of .75 footcandles. The maximum light trespass shall be 0.5 footcandle at 10 feet from the adjacent lot line. (See City of Madison lighting ordinance for more information).

32. 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.

Please contact my office at 261-9632 to discuss the following condition of approval added by the Plan Commission:

33. That staff confirm that the inclusionary dwelling units in this project are eligible to be provided at one Area Median Income level.

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.

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 Gebert, 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 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: