



Department of Planning & Community & Economic Development

Planning Division

Katherine Cornwell, Director

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****BY E-MAIL ONLY****

August 11, 2014

Natalie Erdman, Executive Director
Community Development Authority of the City of Madison
Room 312, Madison Municipal Building
215 Martin Luther King, Jr. Blvd.
Madison, Wisconsin 53703

Francis R. Thousand
Royal Oaks & Associates, Inc.
3678 Kinsman Boulevard
Madison, Wisconsin 53704

RE: Approval of a demolition permit to allow 4 buildings containing 7 dwelling units and approval of a major alteration to a conditional use for a residential building complex to allow construction of 48 new multi-family units in 3 buildings, and approval of a preliminary plat and final plat creating 6 residential lots and 1 outlot for private roads on property generally addressed as 1601 Wright Street.

Dear Ms. Erdman and Mr. Thousand;

At its August 5, 2014 meeting, the Common Council **conditionally approved** the preliminary plat and final plat of Truax Park subject to the following conditions of approval to be addressed prior recording of the final plat.

The demolition permit and conditional use alteration were **approved** by the Plan Commission on July 28, 2014 subject to the conditions of approval in the following sections, which shall be satisfied prior to issuance of demolition or building permits for the project.

Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following forty-eight (48) items:

Demolition Permit and Conditional Use conditions:

1. The garden lease with CAC, if still in effect, will need to be revised.
2. The letter of intent mentions 7 units are being demolished. Records indicate there are 2 units in each of the 4 buildings. Provide addresses for all of the units and or offices being demolished.

3. A portion of the 20-foot Private Sanitary Sewer Easement and the Declaration of Easements recorded as Document No. 4708863 shall be released/ modified to relocate the private sanitary sewer facilities in conflict with the 24 unit-building planned on proposed Lot 7.
4. The Water Main Easement along the easterly side of Lots 4 and Lot 8 per Document No. 1695997 shall be amended by the Owner and the City to define the rights and responsibilities of each entity within the easement to accommodate the new parking facilities planned within this easement. The language for the amendment shall be coordinated with Madison Water Utility staff and the document prepared by the Office of Real Estate Services. Contact Jeff Quamme to coordinate the amendment. (266-4097 or jrquamme@cityofmadison.com).
5. The applicant shall coordinate the release/modification of any Madison Gas & Electric easements for gas or electric facilities that will be in conflict with the proposed new buildings/ improvements within this development. Coordinate directly with MG&E right of way specialist Mike Halcarz at 608-252-5635.
6. The site plans shall show all easements (existing and proposed) and proposed lot lines as shown and noted on the pending plat of Truax Park.
7. The pending final plat application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to final approval and issuance of any building permits. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the permitting system can upload this data and permit issuance made available for this new land record. All conditions of approval for the plat shall be satisfied prior to building permit issuance.
8. The site plan for proposed Lot 8 (Sheet C-1.4) shall show the boundary lines of Lot 8 of the proposed plat. Also, the plan for the 8-unit building shall accurately depict all easements as per the pending plat to confirm the building does not encroach into any of the easements. If the building does encroach into any easement, the site plan shall be modified to remove the encroachment.
9. The City is proposing the widening and resurfacing Anderson Street in 2015 for bike lane improvements. City Engineering will let a public works contract for the roadway and sidewalk improvements along Anderson Street. The new sidewalk will be located within the permanent limited easement for grading and sidewalk that was previously dedicated with CSM 12976.
10. The applicant shall record new private sanitary sewer, storm sewer and water service easements as necessary to serve the proposed buildings. Where the existing private utilities are being abandoned the corresponding existing private easements shall be amended to show the new locations. Modify the plans to accurately show the new easements and to show all property lines on all the pages of the plans.
11. Private sanitary sewer construction serving 54 dwelling fixture units or more requires water quality certification from the Capitol Regional Plan Commission (CARPC) in conjunction with the Department of Commerce review of private sewer plans.
12. The site plan shall identify lot and block numbers of recorded Certified Survey Map or plat.

13. The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
14. The site plan shall identify the difference between existing and proposed impervious areas.
15. In accordance with Section 10.34 MGO–Street Numbers: Submit a PDF of each floor plan to Lori Zenchenko in Engineering Mapping (Lzenchenko@cityofmadison.com) so that an interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
16. 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).

Preliminary and Final Plat conditions:

17. A substantial portion of the preliminary plat is illegible. Upon addressing the comments on the preliminary and final plats, provide a more legible copy of the preliminary plat to the planning department for distribution to all City agencies reviewing the plat.
18. Add a note that lands within this plat are subject to restrictions contained in Quit Claim Deed per Document No. 773249.
19. The Sanitary Sewer Easements on sheet 3 per Document Nos. 1093111 and 1093112 do not currently contain any public sanitary sewer facilities. The applicant shall request these easements to be released by document prepared by the Office of Real Estate Services. Contact Jeff Quamme at 266-4097 or jrquamme@cityofmadison.com to coordinate the release if required.
20. Label and dimension the 20-foot Public Water Main Easement per Document No. 4690854 (CSM 12976) in the westerly portion of proposed Lot 5 on the final plat. Also, all of the Sanitary Sewer, Storm Sewer and Water Main Easements created by Document No. 4690854 (CSM 12976) are further subject to Declaration of Easements recorded as Document No. 4708863. All of the above easements shall have a note added stating that they are subject to the additional Declaration of Easements.
21. Show limits, dimension and label the Water Main Easements as per Document Nos. 1412271 and 1412331 along the northerly side of Lots 5 and 8 on the final plat.
22. Denote more precisely the extents of and dimension the easements to MG&E per Document Nos. 1622342, 1622343, 2376845 and 3629934 on the preliminary and final plat. The easement details on sheet 3 of the final plat in many locations are illegible and not definitive. These easements shall be better mapped to be legible.

23. Add a note to the preliminary and final plat that the lands within the plat are subject to reservation of mineral rights per Document No. 764276.
24. Dimension the Water Main Easement per Document No. 1695997 on the final plat.
25. The Easement to MG&E per Document No. 1688871 has been partially released and additional easement areas created by Document No. 4723174. Modify the preliminary and final plat to reflect this change.
26. The "Main Driveway" easement area defined in the Declaration of Easements per Document No. 4708444 shall be amended to correctly correlate to the proposed Outlot 1 and the parking and access facilities proposed to be constructed in conjunction with this plat. Modify the first note under "Notes" on sheet two that Outlot 1 is subject to this document and its amendment and include all recording information. Label Outlot 1 "Straubel Court - Private Way".
27. Add a note that proposed Lot 3 is subject to a Nonexclusive and Distribution Agreement per Document No. 4753259.
28. Portions of the easements to MG&E have been released for Document Nos. 1688871, 2375685, 1622343 and 1365652. Also additional easement areas have been created by the same document. The preliminary and final plats shall be revised to reflect the correct easement areas along with appropriate notes and dimensions.
29. A portion of the 20-foot Private Sanitary Sewer Easement and the Declaration of Easements recorded as Document No. 4708863 shall be released/ modified to relocate the private sanitary sewer facilities in conflict with the building planned on proposed Lot 7.
30. Denote and show more legibly the extents of and dimension all easements on the preliminary and final plat. The easement details on the preliminary and final plat in many locations are illegible and not definitive.
31. The Water Main Easement along the easterly side of Lots 4 and Lot 8 per Document No. 1695997 shall be amended by the Owner and the City to define the rights and responsibilities of each entity within the easement to accommodate the new parking facilities planned within this easement. The language for the amendment shall be coordinated with Madison Water Utility staff and the document prepared by the Office of Real Estate Services. Contact Jeff Quamme to coordinate the amendment. (266-4097 or jrquamme@cityofmadison.com).
32. The applicant shall coordinate the release/modification of any Madison Gas & Electric easements for gas or electric facilities that will be in conflict with the proposed new buildings/ improvements within this development. Coordinate directly with MG&E right of way specialist Mike Halcarz at 608-252-5635.
33. Remove the second note under "Notes" on Sheet 2 of the final plat. There are no road dedications on this plat.
34. Modify the non-exclusive drainage easement language on the final plat to match the required language per MGO Section 16.23(8)(9)(b)2 This language provides for the release of the existing

easements and creation of the new easements. Coordinate with stormwater staff if the widths and locations of the easements are to be defined differently on the plat. Revise the detail for the configuration of the easements to match the language in the note.

35. The external boundary shall have required monumentation along the southerly side of the final plat added to the plat. Existing monuments found shall state the size and external diameter of all found monuments.
36. Straubel Street shall be labeled along the southeast side of the final plat.
37. The legal description under the Surveyor's Certificate on the final plat shall include the Volume, page and document number of CSM 12976. Revise the bearing on the fifth line from the end and replace the "d" with a degree symbol for N 44°06'32" E. The last course distance shall be revised to "147.68" feet.
38. The lot numbering pattern may not meet statutory requirements. Confirm with the Plat Review Section of the Department of Administration.
39. Provide main chords on all curves of the final plat.
40. Revise the Location Plan on sheet one of the final plat to reflect the current boundary of the plat.
41. Provide a symbol in the legend designating how existing buildings are shown. Denote on the face of the plat the buildings to be demolished.
42. A new private sanitary sewer easement shall be extended over the existing private sewer that will serve Lot 8 from the west.
43. The applicant shall record new private sanitary sewer, storm sewer and water service easements as necessary to serve the proposed buildings. Where the existing private utilities are being abandoned the corresponding existing private easements shall be amended to show the new locations.
44. The City is proposing the widening and resurfacing Anderson Street in 2015 for bike lane improvements. City Engineering will let a public works contract for the roadway and sidewalk improvements along Anderson Street. The new sidewalk will be located within the permanent limited easement for grading and sidewalk that was previously dedicated with CSM 12976.
45. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Schmidt (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
46. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane

County Surveyor's office. The Applicant shall identify monument types on all PLS corners included on the Plat. Note: Land tie to two PLS corners required.

47. The applicant shall submit to Eric Pederson, prior to Engineering sign-off of the subject plat, two (2) digital and one (1) hard copy of the final plat to the Mapping/GIS Section of the Engineering Division. The digital copies shall be submitted in both NAD27 & WIDOT County Coordinate System, Dane County Zone datums in either Auto CAD Version 2001 or older, MicroStation Version J or older or Universal DXF Formats and contain the minimum of the following, each on a separate layer name/level number: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes.

*New electronic final plat transmittals and notification of changes which occur to the final plat during the time the Engineering Division signs off and receives the digital copies of said plat and the recording thereof, are the responsibility of the Developer/Surveyor.

48. In accordance with Section s.236.20(2)(c)&(f), Wisconsin Statutes, the applicant must show type, location and width of any and all easements. Clearly identify the difference between existing easements (cite Register of Deeds recording data) and easements which are being conveyed by the plat. Identify the owner and/or benefiting interest of all easements.

Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following nine (9) items:

49. The elevator shafts are in the 23-foot back-up isle of the underground parking; move the elevator shafts or remove the conflicting parking stalls.
50. The 8-unit structure in the northeast corner on Anderson Street is very close to the permanent limited easement for grading and sidewalk that was previously dedicated with CSM 12976 and should be relocated to the south.
51. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including 2 feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
52. The developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City-owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the developer shall reimburse the City for all

associated costs including engineering, labor and materials for both temporary and permanent installations.

53. The City Traffic Engineer may require public signing and marking related to the development; the developer shall be financially responsible for such signing and marking.
54. All parking facility design shall conform to the standards in MGO Section 10.08(6).
55. All entrances shall conform to city of Madison standards for a commercial-type entrance, unless Traffic Engineering deems an alternative design critical for operation.
56. The applicant shall execute and return a declaration of conditions and covenants for streetlights and traffic signals prior to sign off. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.
57. The developer will need to demonstrate/provide how private streetlights will be installed and maintained in the public alleys. The plat shall provide the following note on the face of the plat: "The City will not install lighting in the alleys, but the developer or property owners may request the City to approve a private light(s) in the alley right-of-way. Such private light(s) to be operated and maintained by private interests."

Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following four (4) items:

58. Provide a minimum bike parking spaces for each building distributed as both *Short Term* and *Long Term* bicycle parking, as required per MGO Sections 28.141(4) and 28.141(11). Provide a detail of the bike rack design including any wall mounts. NOTE: Current code requires a maximum of 25% of the bike parking spaces may be structured bike parking (wall-mount or stacked). Identify and dimension required stalls on the final plan. NOTE: A bike-parking stall is 2 feet by 6 feet with a 5-foot access area. Provide a detail of the bike rack to be installed on the final plans.
59. Meet all supplemental regulations for a Residential Building Complex in MGO Section 28.151.
60. Provide lot coverage and building coverage calculations on the final plans.
61. Exterior lighting provided shall be in accordance with MGO Section 10.085. Provide an exterior lighting plan and fixture cut sheets with the final plan submittal.

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

62. The Madison Water Utility shall be notified to remove the water meters prior to demolition. All operating private wells shall be identified and permitted and all unused private wells shall be abandoned by the Water Utility in accordance with MGO Section 13.21.

Please contact Kay Rutledge of the Parks Division at 266-4714 if you have any questions regarding the following four (4) items:

63. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development in this development lest a credit for the 7 existing units to be razed. The developer must select a method for payment of park fees before signoff on the conditional use. This development is within the Reindahl park impact fee district (SI22). Please reference ID # 14133 when contacting Parks Division staff about this project.
64. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Please submit an existing inventory of trees (location, species and DBH) and a tree removal plan (in PDF format) to Dean Kahl – dkahl@cityofmadison.com or 266-4816. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the final approval of the site plan.
65. Existing street trees shall be protected. Please include the following note on the site plan: “Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in Section 107.13 of *City of Madison Standard Specifications for Public Works Construction*.”
66. The developer shall put the following note on the face of the subdivision plat: “Lots / buildings within this subdivision / development are subject to impact fees that are due and payable at the time building permit(s) are issued.”

Please contact Jenny Frese of the Office of Real Estate Services at (608) 267-8719 if you have any questions regarding the following item:

67. In order for the final plat to receive final staff approval prior to recording, the plat shall include executed owner and consent of mortgagee certificates to match an updated title report to be submitted for the property; all taxes and special assessments shall be paid in full (including receipts for any payments not reflected in the updated title report); all stormwater fees shall be paid; and the final plat revised to include any revisions identified by Office of Real Estate Services staff based on a review of the updated title report.

Please contact Tim Sobota of Metro Transit at 261-4289 if you have any questions regarding the following four (4) items:

68. In coordination with public works improvements, the applicant shall install a new concrete passenger boarding pad on the south side of Anderson Street, east of Wright Street. The concrete pad shall occupy the full distance of the terrace, measure a minimum of 10 feet in width parallel to the street, and lie flush between the sidewalk and the top of curb.

69. In coordination with public works improvements, the applicant shall install and maintain a sidewalk connection from the corner curb ramp at Wright Street going east along Anderson Street up to the concrete passenger boarding pad.
70. In coordination with public works improvements, the applicant shall install a new concrete passenger boarding pad on the east side of Wright Street, north of Straubel Street. The concrete pad shall occupy the full distance of the terrace, measure a minimum of 10 feet in width parallel to the street, and lie flush between the sidewalk and the top of curb. The applicant shall include the location all of these transit amenities on the final plans to be approved prior to issuance of building permits so that Metro Transit may review and approve the design.
71. The applicant might consider additional transit amenities on the property adjacent these bus stop zones, such as a bench or covered waiting feature, in finalizing their landscape plan.

Please contact my office at 261-9632 if you have any questions about the four (4) items, including the condition of approval (#75) added by the Plan Commission on July 28, 2014:

72. That any necessary cross-access and shared parking easements or agreements be approved and recorded prior to final approval of the plat and residential building complex plans, which provide for the continuation of the proposed private drive on Outlot 1 to Wright Street across Lot 2 of CSM 12976.
73. That the site plans submitted for final approval include a detailed inventory of the proposed dwelling units and the existing dwelling units to remain following approval of the project and the demolition of the 4 residential buildings. The address and number of units in each building shall be identified on a master site plan for the overall development.
74. That the site plans submitted for final approval include a detailed inventory of existing and proposed automobile and bike parking for the overall development.
75. That construction of the 16-unit apartment building and eastern parking lot not commence until the equivalent community garden space removed for the project has been relocated, and that an effort be made to work with the gardeners to restore the condition of the soil and to assist with the relocation of perennials.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

No interior, exterior or structural demolition or wrecking activities or remodeling activities (including material reclamation activities by the applicant or a third party) shall commence nor any wrecking or building permits be issued until the applicant has met all of the conditions of approval stated in this letter.

The applicant is 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 permits. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions.

Note: The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

Please now follow the procedures listed below for obtaining demolition or building permits for your project:

1. After the plans have been revised per the above conditions, please file **eleven (11) sets** of complete, fully dimensioned, and to-scale plans, the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, 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 Zoning staff to the City department staff listed above for their final approval.
2. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval.
3. Approval of the 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.
4. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the Plan Commission and the conditional use standards. This approval shall become null and void one (1) year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within 6 months of the issuance of said building permit. Where the plans have not been altered from the Plan Commission's approval, and the conditional use has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to 24 months from the expiration date. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

For the final plat:

Prior to City Engineering final sign-off by the main office of the plat, the final version shall be submitted to the Engineering Division Surveyor/ Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of 2 working days prior to final Engineering Division signoff. E-mail submittal of the final plat in PDF form is preferred. Transmit to jrquamme@cityofmadison.com.

As soon as the comments and conditions have been satisfied for the final plat as verified with a completed affidavit form (attached), the original along with the revised final plat, with all signatures and approvals from the reviewing agencies, shall be brought to this office for final signoff. You or your client may then record the final plat at the Dane County Register of Deeds. For information on recording procedures and fees, contact the Register of Deeds at 266-4141.

Any appeal regarding the plat, including the conditions of approval related thereto, must be filed with the Circuit Court within thirty (30) days from the date of this letter. The approval of this final plat shall be null and void if not recorded in twelve (12) months from the date of this letter. If I may be of any further assistance, please do not hesitate to contact me at 261-9632.

Sincerely,

TIMOTHY M. PARKS
Planner

cc: Janet Schmidt, City Engineering Division
Eric Halvorson, Traffic Engineering Division
Kay Rutledge, Parks Division
Pat Anderson, Assistant Zoning Administrator
Sally Sweeney, City Assessor's Office
Bill Sullivan, Madison Fire Department
Tim Sobota, Madison Metro Transit
Dennis Cawley, Madison Water Utility
Jennifer Frese, Office of Real Estate Services
Dan Everson, Dane County Planning & Development

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" 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 Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Other: Metro Transit